

In all of our wars, Kansas has made big contributions. Missouri had her Pershing. Kansas had her Funston. Kansans have won all sorts of awards from the Congressional Medal on down. In World War I, Kansas had the smallest number of men rejected for military service—which demonstrates the physical sturdiness of her sons. In World War II, with many Kansans having settled there, Oregon pushed us into second place. But with the coming of the Korean war, Kansas again had the fewest rejections. Yet Texas has the audacity to brag of the hardness of her menfolk.

Kansas has the highest percentage of native-born residents of any of the States. And while we think of New York as a wealthy State, the per capita wealth of Kansas is greater than that of New York.

From what I have said you may well guess that I am proud of Kansas and proud to be a Kansan. I am.

We have more than our share of good things—and fewer of the bad than many have claimed. We have had far fewer cyclones than many of the southern States, so stories about Kansas being a cyclone State are libelous. We have had our share of hard times, too. Our motto—*Ad astra per aspera*—"To the stars through difficulty"—is particularly appropriate. Those courageous ancestors of ours, who left comforts behind, came to Kansas and carved out a great future for us, did face hardships and difficulties. Their courage, stamina, and faith brought them through. We, their children, can see the bright stars of the future.

With this great history, it is perfectly natural that on Kansas Day, Kansans should gather together and celebrate their State's birthday.

These Kansas Day celebrations were started nearly 75 years ago by about 100 men headed by a great threesome of newspaper fame, William Allen White, Ewing Herbert, and Charles Harger, the sole survivor of that famous trio.

For nearly fourscore years these meetings have taken place with the activities centered around Topeka.

Soon we will celebrate the 100th anniversary of Kansas statehood, just as we have celebrated the Territorial Centennial this past year.

That century has marked the development of God-given natural resources by resourceful courageous Kansans.

The story of that century is as gripping as fiction, as colorful as a modern-day western. The cast of characters is as varied as can be imagined: Indians and white men, saints and sinners, lawmakers and lawbreakers, laborers and financiers, teachers and preachers. Long-remembered names such as Billy the Kid, Bat Masterson, Kit Carson, Lincoln and Douglas and their great debates, Carrie Nation, Horace Greeley, Walt Mason, all left their mark as the story of Kansas unfolds.

The scenes were as varied as the characters; tepees and sodhouses, churches and saloons, courthouses and jails, factories and farms, battlefields, cradles, and graves.

The pages of that century of history are punctuated by spurring six guns, splattered with blood of border warfare, the Civil War, the Spanish-American War, two World Wars, and Korea.

That hundred years has served to try Kansas and Kansans. They have been tested; they've been found true, loyal, and courageous.

Here, indeed, and in fact, is the heart of America.

And in closing, may I read the product of the skilled pen of Charles Harger, what has been called the Kansan's Creed:

"We believe in Kansas, in the glory of her prairies, in the richness of her soil, in the beauty of her skies, and in the healthfulness of her climate.

"We believe in the Kansas people, in their sturdy faith, and abounding enthusiasm; in their patriotism and their fidelity to the good things of civilization; in their respect for law and their love of justice; in their courage and zeal; in their independence; and in their devotion to uplifting influences in education and religion.

"We believe in Kansas institutions; in the Kansas language and in Kansas ideals; in her uprightness in society; and in her demands that honor, sobriety, and respect be maintained in public and private life; in her marvelous productiveness; and in her wonderful future."

Yes, I am a Kansan. I am proud of it. If you, too, are a Kansan, I trust that you join me in that pride. If you are not a Kansan, I hope you feel that this pride is justified.

## SENATE

WEDNESDAY, FEBRUARY 9, 1955

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, trusting only in Thy mercy, bringing nothing in our hands—our selfish hands which we confess too often yield to the temptation to grasp so many fleeting baubles—we wait in contrition at this shrine of grace for Thy benediction. We would face whatever the day may bring in the confidence of Thy guidance, in the gladness of Thy service, and in the solemn realization that we are indeed our brother's keepers.

May the great causes that will mold the future of human life on this planet into the pattern of Thy desire and design, that will heal the hurts of this sorely wounded world, that will create good will and usher in abiding peace, challenge the best that is in us and gain the supreme allegiance of our love and labor as we serve our brief day in these fields of time. We ask it in the name of the Master of all good workmen. Amen.

## THE JOURNAL

On request of Mr. CLEMENTS, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, February 8, 1955, was dispensed with.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed a bill (H. R. 3005) to further amend the Universal Military Training and Service Act by extending the author-

ity to induct certain individuals, and to extend the benefits under the Dependents Assistance Act to July 1, 1959, in which it requested the concurrence of the Senate.

## LIMITATION OF DEBATE DURING MORNING HOUR

Mr. CLEMENTS. Mr. President, under the rule there will be a morning hour for the presentation of petitions and memorials, the introduction of bills, and other routine business, and I ask unanimous consent that any statements made in connection therewith be limited to 2 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

## EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

### REPORT ON FEDERAL CIVIL DEFENSE CONTRIBUTIONS PROGRAM

A letter from the Administrator, Federal Civil Defense Administration, Battle Creek, Mich., transmitting, pursuant to law, a report on the Federal Civil Defense Contributions Program, for the quarter ended December 31, 1954 (with an accompanying report); to the Committee on Armed Services.

### DISPOSAL OF CERTAIN PUBLIC LANDS IN ALASKA

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the disposal of public lands within highway, telephone, and pipeline withdrawals in Alaska, subject to appropriate easements, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

### PUBLIC RECREATION FACILITIES IN ALASKA

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed

legislation relating to the establishment of public recreation facilities in Alaska, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

### SALE OF CERTAIN LANDS TO NAVAHO TRIBE OF INDIANS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Pueblos of San Lorenzo and Pojoaque in New Mexico to sell certain lands to the Navaho Tribe, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

### REPORT OF ADMINISTRATOR OF REFUGEE RELIEF ACT

A letter from the Secretary of State, transmitting, pursuant to law, the third semi-annual report of the Administrator of the Refugee Relief Act of 1953 (with an accompanying report); to the Committee on the Judiciary.

### CONSTRUCTION OF SCHOOL FACILITIES

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to authorize Federal assistance to States and communities to enable them to increase public elementary and secondary school construction (with accompanying papers); to the Committee on Labor and Public Welfare.

## PETITIONS

Petitions were presented and referred as indicated:

By Mr. MORSE:

A joint resolution of the Legislature of the State of Oregon; to the Committee on Appropriations:

"House Joint Memorial 1

"To the Honorable Senate and House of Representatives of the United States of America in Congress assembled:

"We, your memorialists, the Senate and House of Representatives of the State of Oregon, in legislative session assembled, most

respectfully represent and petition as follows:

"Whereas the findings of the Pacific Northwest Governors' Power Policy Committee and their engineering committee representing all generating agencies, both Federal and local, show that power use in the region will increase 6,400,000 kilowatts by 1964, requiring the expenditure of approximately \$2 billion on the construction of new electrical facilities, at the rate of more than \$200 million per year over the next 10 years; and

"Whereas the people of the State of Oregon and of the Pacific Northwest region as a whole depend primarily upon the utilization of falling water for their supply of electric power; and

"Whereas the Federal Government, through its construction of multiple-purpose river projects, has become a major supplier of electric power to the region; and

"Whereas it is of utmost importance to the Pacific Northwest that the Federal projects now under construction in the region be kept on schedule so that the estimated firm load requirements can at least be met until 1960; and

"Whereas the McNary, Chief Joseph, and the Dalles projects, when completed, will have a combined generating capacity exceeding 3 million kilowatts; and

"Whereas it is of vital importance to maintain these Federal projects on a full construction schedule: Now, therefore, be it

*Resolved by the House of Representatives of the State of Oregon (the Senate jointly concurring therein), That the Congress of the United States be and it hereby is memorialized to give full recognition to the responsibilities of the Federal Government to make funds available for the completion on schedule of the Chief Joseph, McNary, and the Dalles projects now under construction, upon which the Pacific Northwest unavoidably must rely for its growth requirements during the next 5 years; be it further*

*Resolved, That the secretary of state of the State of Oregon be and hereby is directed to send a copy of this memorial to the President of the United States, to the President and Chief Clerk of the United States Senate, to the Speaker and the Chief Clerk of the House of Representatives of the United States, and to each Member of the Congress.*

*Adopted by House January 13, 1955.*

*"E. A. GEARY,*

*Speaker of the House.*

*Adopted by Senate January 20, 1955.*

*"ELMO E. SMITH,*

*President of the Senate."*

A joint resolution of the Legislature of the Territory of Alaska; to the Committee on Interstate and Foreign Commerce:

*"Senate Memorial 1*

*"To the President of the United States of America, to the Chairman of the Committee on Interior and Insular Affairs of the Senate, to all Members of the Senate and to all Members of the House of Representatives of the Congress of the United States, and to the Chairman of the Civil Aeronautics Board:*

*"Your memorialist, the Senate of the 22d Legislature of the Territory of Alaska, in 22d session assembled, respectfully represents:*

*"Whereas because of its location, the economy, and likewise the welfare of the people, of the Territory of Alaska are entirely dependent upon adequate transportation both within and without its borders; and*

*"Whereas air transportation is now one of our major industries providing work for hundreds of residents, there being more airplanes per capita in Alaska than in any other country in the world, and this air travel industry being vital to both such employees, and to the other people of the Territory who receive benefits therefrom by means of rapid transportation and lower living costs; and*

*"Whereas this legislature has in the past, and is now, doing everything within its power to promote a stable peacetime economy, and has during recent years encouraged tourist travel to Alaska by the creation of an Alaska Visitors Association, hoping thereby to establish the tourist business as one of our major industries; and*

*"Whereas the Alaska Steamship Co. has recently ceased carrying passengers between Alaska and the States, leaving the airlines as our only commercial carriers accommodating passengers; and*

*"Whereas we, the Senate of the 22d Legislature of the Territory of Alaska, believing in free enterprise, and deploring the creation of monopolies which would restrict industrial development and hamper the activities of otherwise free American citizens; and*

*"Whereas believing in the maintenance of strong defensive measures against outside aggressors for both the Territory and for the States to the south of us, and knowing that retaining sufficient air service between the States and Alaska would provide aircraft, experienced flight crews and ground personnel as well as airway facilities for the use of the military establishment in case of sudden emergency.*

*"Now, therefore, your memorialist respectfully urges the President, the Congress of the United States, and the Civil Aeronautics Board to maintain our present air service to Alaska, and to resist by every means within their power, the efforts of any person, board or agency to reduce the number of airlines serving the Territory.*

*"And your memorialist will ever pray.*

*"Passed by the Senate, January 26, 1955.*

*"JAMES NOLAN,*

*President of the Senate.*

*"Attest:*

*"KATHERINE T. ALEXANDER,*

*Secretary of the Senate."*

*By Mr. CHAVEZ:*

A joint resolution of the Legislature of the State of New Mexico; to the Committee on Interior and Insular Affairs:

*"Senate Joint Memorial 4*

*"Memorializing the Congress of the United States of America to enact legislation authorizing the Secretary of the Interior to construct, operate, and maintain the Navaho project as one of the participating projects in the Colorado River storage project*

*"Whereas there has been introduced in the 84th Congress of the United States a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects; and*

*"Whereas the foregoing proposed legislation includes the Navaho project in New Mexico, as one of the participating projects, for the irrigation of reservation and non-reservation lands located on the Navaho Indian Reservation and adjacent thereto; and*

*"Whereas the Navahos are at present a low-income, underprivileged group, numbering more than 75,000, whose population is steadily increasing, and whose economic condition is steadily declining because of the extreme drought existing on the Navaho Reservation; and, recognizing that where a group of people exist under such adverse economic conditions as do our neighbors, the Navahos, it affects the whole economy of the surrounding area; and*

*"Whereas the proposed Navaho project will irrigate reservation lands which will provide for approximately one-fifth of the present Navaho Indian population with a living standard equal to that of non-Indian agriculturists within the area, and, will greatly improve and better the economic condition of our neighbor, the Navahos: Now, therefore, be it*

*"Resolved by the Legislature of the State of New Mexico, That the Congress of the United States be and is hereby respectfully memo-*

*rialized and urged to enact legislation authorizing the Secretary of the Interior to construct, operate, and maintain the Navaho project as one of the participating projects in the Colorado River storage project; and be it further*

*"Resolved, That copies of this memorial be sent to each Senator and Member of the House of Representatives from New Mexico.*

*"JOE M. MONTOYA,*

*President of the Senate.*

*"EDWARD G. ROMERO,*

*Chief Clerk of the Senate.*

*"DONALD D. HALLAM,*

*Speaker, House of Representatives.*

*"FLOYD CROSS,*

*Chief Clerk, House of Representatives.*

*"Approved by me this 31st day of January 1955.*

*"JOHN F. SIMMS,*

*Governor, State of New Mexico."*

## THE REFUGEE RELIEF ACT—RESOLUTION OF AMERICAN VETERANS COMMITTEE CONVENTION, BOSTON, MASS.

Mr. LEHMAN. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the eighth national convention of the American Veterans Committee, at their recent meeting at Boston, Mass., relating to the Refugee Relief Act.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ON REFUGEE RELIEF ACT ADOPTED BY THE EIGHTH NATIONAL CONVENTION, AMERICAN VETERANS COMMITTEE (AVC), BOSTON, MASS., DECEMBER 5, 1954

Whereas the Refugee Relief Act was enacted by the Congress of the United States to provide for the admission of 214,000 refugees to this country; and

Whereas during the first 10 months under this law exactly nine refugees were admitted: Therefore be it

*Resolved, That we condemn the apparent disregard shown by the administrators of the Refugee Relief Act for the expressed will of the Congress and of the President of the United States; and further be it*

*Resolved, That we urge the Congress and the executive department to give immediate attention to the complete failure of the State Department to carry out the intent of this law, and to take immediate steps to secure effective implementation.*

## RESOLUTIONS OF FARMERS UNION LOCAL, BISBEE, N. DAK.

Mr. LANGER. Mr. President, I present, for appropriate reference, and ask unanimous consent to have printed in the RECORD, a letter from Joseph Weltin, secretary, the Farmers Union Local, at Bisbee, N. Dak., embodying resolutions adopted by that local, relating to parity prices for all farm commodities, and the extension of the Federal crop insurance program to all growers of wheat in North Dakota.

There being no objection, the letter was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

BISBEE, N. DAK., January 4, 1955.

HON. WILLIAM LANGER,

United States Senate,

Washington, D. C.

DEAR SENATOR LANGER: The following resolutions were passed at the regular meeting



of the Farmers Union Local at Bisbee, N. Dak., on December 13, 1954, with 150 persons present:

"That the Federal governmental farm program should provide price supports or income programs at 100 percent of parity prices for all farm commodities actually produced on the farm up to the limit of the family farm production. Parity price formula should be designed to maintain a purchasing power of farm commodities at levels equal to that of 1947-49 with the goal of full parity farm income.

"That the Federal crop insurance should be made available to all growers of wheat in North Dakota for the year 1955. The Federal Crop Insurance Agency should not discriminate against a farmer who did not happen to carry crop insurance for the year 1954, as there are those who have carried it before and dropped it last year and never have collected a loss, while there are some who have carried it for the first time last year and collected a loss. This is a Federal project and there should be no discrimination except when fraud is committed."

Sincerely yours,

JOSEPH WELTIN,  
Secretary.

### RESOLUTIONS DEALING WITH INDIAN PROBLEMS

Mr. ANDERSON. Mr. President, on January 30, 1955, the New Mexico Association on Indian Affairs, in the course of its annual meeting at Santa Fe, adopted three resolutions dealing with Indian problems.

The first resolution expresses the opposition of the association to legislation which has for its purpose the liquidation of Indian tribal governments.

The second resolution urges that the lands formerly occupied by the Mescalero Apache Indians at Fort Stanton, N. Mex., be returned to that tribe now that the Federal Government has discontinued using the hospital facility.

The third resolution expresses the sense of the association that every effort be made to ensure the enactment of S. 500, the upper Colorado River storage project bill, and in particular the construction of the Navaho Dam project.

I ask unanimous consent that the three resolutions may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Whereas there has been introduced into the Senate of the United States a bill known as S. 401 and referred to as the Malone bill; and

Whereas the purpose of the said bill is to liquidate the tribal governments of the American Indians within 3 years from the date of the enactment of the proposed law and to repeal the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended; and

Whereas the said bill is wholly unacceptable to the Indian tribes of New Mexico and also to members of the New Mexico Association on Indian Affairs, and is so unreasonable and so unfair in its provisions as to shock the conscience; and

Whereas every effort should be made to prevent passage of such a measure as S. 401: Now, therefore, be it

*Resolved*, That it be declared to be the sense of the annual meeting of the New Mexico Association on Indian Affairs that this bill should not be allowed to become the law of the land, that efforts be made to prevent its passage, and that this resolution

be made known to appropriate officials of New Mexico and of the Congress of the United States; and be it further

*Resolved*, That copies of this resolution be sent to the National Congress of American Indians, to the All-Pueblo Council, and to the executive heads of the Navaho Tribe, the Mescalero Apache Tribe, and to the Jicarilla Apache Tribe.

CATHERINE FARRELLY,  
President.

Whereas the Mescalero Apache Tribe did in 1855 allow the United States Government the use of certain of their lands whereon to build a fort and later a merchant-marine hospital; and

Whereas the United States Government promised that said land would revert to the Mescalero Apache Tribe whenever the said Government discontinued its operations of the said installation; and

Whereas the said Government did discontinue its use of the said fort and later the marine hospital, which is now being operated by the State of New Mexico; and

Whereas there are some 26,500 acres of land outside the said hospital grounds which are no longer being used by the said Government and which rightfully belong to the said Mescalero Apache Tribe, which needs the land for the development of tribal resources; and

Whereas the said tribe has no desire to claim the said hospital but only the land promised to be returned to it when relinquished by the said Government: Now, therefore, be it

*Resolved*, That the New Mexico Association on Indian Affairs, at its annual meeting in Santa Fe, on January 30, 1955, urge upon the New Mexico State Legislature adoption of Senate Joint Memorial 6, introduced by Senator Murray Morgan and hitherto referred to the rules committee of the senate; and be it further

*Resolved*, That a copy of this resolution be sent to Governor Simms and appropriate officers of the New Mexico State Legislature, also to the Representatives in Congress of the people of New Mexico, to the end that the Congress act to return the said land at Fort Stanton to the Mescalero Apache Tribe.

CATHERINE FARRELLY,  
President.

Whereas there has been introduced into the Senate of the United States a bill known as S. 500, creating the upper Colorado water project; and

Whereas there has been introduced into the House of Representatives a similar bill; and

Whereas the said upper Colorado water project is vitally important to the Navaho people and to the people of New Mexico; and

Whereas the said upper Colorado water project, and particularly the Navaho Dam, is of great value in human rehabilitation as well as in the conservation of natural resources; and

Whereas the citizens of New Mexico, both Indian and non-Indian, are heartily in favor of enactment of the said project into law as speedily as possible, so that the work of rehabilitation and conservation can be commenced with the least possible delay; and

Whereas the Governor of New Mexico and members of the State legislature are also strongly in favor of the enactment of this legislation, as are the Senators and Representatives from New Mexico in the United States Congress: Now, therefore, be it

*Resolved*, That it is the sense of this meeting that aid, cooperation, and every available effort by this association be given to the furtherance of steps to insure enactment of the said S. 500, and that copies of this resolution be sent to the State officials mentioned herein and also to the Senators and Repre-

sentatives from New Mexico in the United States Congress.

CATHERINE FARRELLY,  
President.

This is to certify that the above resolutions were passed unanimously at the annual meeting of the New Mexico Association on Indian Affairs at its meeting in Santa Fe on January 30, 1955.

CHARLES E. MINTON,  
Executive Secretary.

### TERMINATION OF FEDERAL RESPONSIBILITY FOR INDIANS

Mr. ANDERSON. Mr. President, I have recently received a letter from Mr. William Zimmerman, Jr., of the Association on American Indian Affairs, pointing out the various problems connected with termination of Federal responsibility for Indians.

Accompanying Mr. Zimmerman's letter is a proposed legislative program recommended by the association in the interests of the American Indian. I think the suggestions of this organization would be of interest to the Members of the Congress, and I ask unanimous consent that these two items may be printed in the RECORD.

There being no objection, the letter and proposed legislative program were ordered to be printed in the RECORD, as follows:

ASSOCIATION ON AMERICAN INDIAN  
AFFAIRS, INC.

New York, N. Y., January 28, 1955.

The Honorable CLINTON P. ANDERSON,  
United States Senate,  
Washington, D. C.

DEAR SENATOR ANDERSON: The American Indians, a small minority of the Nation, with unique problems difficult to understand, cannot command national attention every day. Yet the day is here when their problems must be resolved.

In the past 2 years the Congress and the administration have emphasized the need for termination of Federal responsibility for American Indians. Almost no one objects to termination in theory. The issues are when, how, and with what safeguards, if any. A distinction must be made also between extermination of Indians and the elimination of responsibility of a particular bureau. Many sincere Americans urge that Indians must cease to be Indians, even if that process requires governmental pressures. This association is opposed to the use of such pressures. We believe, for example, that it is not in accordance with the principles of fair and honorable dealing that the United States require a tribe, as a condition precedent to withdrawing a part of its funds held in trust in the United States Treasury, to assent, or give a show of assent, to a bill terminating Federal jurisdiction and responsibility.

The plenary power of Congress is not in question; rather, the question breaks into these parts: (1) What do the Indians need? (2) What do they want? (3) What is best for them and their neighbors? (4) How can the United States best discharge its obligations to the Indians and to the States in which they reside? The Congress must establish the criteria or direct their establishment.

In the hope that the 84th Congress will take a fresh look at these Indian questions, the association is submitting to every Member a copy of a 10-point legislative program. We believe that these bills or groups of bills should be enacted before the Congress should consider any new withdrawal or termina-

tion bills. These 10 points include the debris of misunderstanding, uncompleted programs, half-kept promises, and outmoded restrictions on Indian rights. We are convinced that enactment of this program will speed the day when the Indians can say truthfully, "We can take care of our own affairs."

Sincerely yours,  
WILLIAM ZIMMERMAN, Jr.,  
Director, Government Relations.

**A LEGISLATIVE PROGRAM IN THE INTERESTS OF THE AMERICAN INDIAN SUBMITTED TO THE 84TH CONGRESS BY THE ASSOCIATION OF AMERICAN INDIAN AFFAIRS, INC.**

1. An amendment to House Concurrent Resolution 108, 83d Congress, which stated the policy of Congress to terminate the special relationship of the Federal Government to Indian tribes and individual Indians "as rapidly as possible." The proposed amendment should either (a) specifically define criteria for termination, or (b) direct the establishment of such criteria, with provision for the addition from time to time of new tests geared to the situation of the Indians immediately involved, and as knowledge is gained from experience. The amendatory resolution should provide that it is the intent of Congress not to enact further withdrawal legislation unless and until the established criteria are met, and further that the administrative officers of the Government shall conform their actions to these same criteria in any steps they may lawfully take with a view to termination.

2. A bill to amend sections 6 and 7 of Public Law 280, 83d Congress, to provide for Indian consent to the assumption of State civil and criminal jurisdiction over Indian reservations.

3. A bill to amend the Indian Claims Commission Act of 1946, to provide an extension of time during which pending claims may be determined. Present law requires the Commission to complete its work by April 1957. The Commission cannot possibly meet that deadline.

4. A bill to facilitate the readjustment of Indian land holdings, with special reference to lands in heirship status, that is, lands held by the United States in trust for the benefit of two or more heirs. The bill should give Indians and Indian tribes a first preference in the purchase of such lands, and should further provide funds through which purchases could be financed on a long-term repayment plan either (1) by the establishment of a special loan fund or (2) by express authorization and direction for the use of existing Federal loan funds.

5. A bill to authorize long-term leases for the development of Indian land holdings for public, religious, recreational, educational, commercial, and other worthy purposes.

6. A series of special bills to confirm Indian tribal title to certain lands, including minerals. Such bills would include the transfer of title to submarginal lands purchased for Indians and now used by them; the repeal of the 1934 provision which leaves the Papago Reservation open to mineral entry under the Federal mining laws; the clarification of title to the diminished reservation at Colville; and similar corrective measures. Included in this group should be a bill to correct the Eastern Cherokee tribal roll, not strictly a land bill, but a bill which would in effect limit the rights to tribal lands and other property to those Indians recognized by the band as members.

7. Three bills to eliminate or modify the Departmental authority in certain administrative matters: (1) to eliminate or modify the supervisory powers of the Secretary of the Interior over attorney contracts with Indian tribes; (2) to give the tribes control over their current income, with strong provisions for penalties for mishandling or mis-

appropriating such funds; (3) to authorize and direct the Secretary of the Interior to use appropriated gratuity funds for the expenses of tribal delegations which would not otherwise be able to testify before the Congress on bills affecting their property and their future, particularly termination bills, and also to forbid the use of tribal funds except when authorized by the tribal owners.

8. A bill or bills, like the Navajo-Hopi Rehabilitation Act, to provide for the economic rehabilitation of certain depressed Indian groups, such as the Papago, Sioux, and Minnesota Chippewa. The Upper Colorado River legislation should include adequate language directing construction of the Navajo (Shiprock) irrigation project.

9. A bill to provide for the equitable settlement of native land claims in Alaska.

10. A bill to amend the Johnson-O'Malley Act to require the transfer of Indian Bureau extension services to appropriate State and local agencies, if and when the Indians concerned so request.

### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and, referred as follows:

By Mr. JOHNSTON of South Carolina:  
S. 1011. A bill to make certain exceptions to the appellate jurisdiction of the Supreme Court of the United States and of the United States courts of appeals in actions relating to the public schools; to the Committee on the Judiciary.

(See the remarks of Mr. JOHNSTON of South Carolina when he introduced the above bill, which appear under a separate heading.)

By Mr. CHAVEZ:  
S. 1012. A bill for the relief of Juan Jose Moya Ramirez; and

S. 1013. A bill for the relief of Melecio Acosta-Morales; to the Committee on the Judiciary.

By Mr. KNOWLAND (for Mr. MALONE):  
S. 1014. A bill for the relief of Henry Duncan; and

S. 1015. A bill for the relief of the city of Carson City, Nev.; to the Committee on the Judiciary.

By Mr. THURMOND:  
S. 1016. A bill to make certain exceptions to the appellate jurisdiction of the Supreme Court of the United States and of the United States courts of appeals in actions relating to the public schools; to the Committee on the Judiciary.

(See the remarks of Mr. THURMOND when he introduced the above bill, which appear under a separate heading.)

By Mr. DWORSHAK:  
S. 1017. A bill to extend the Renegotiation Act of 1951; to the Committee on Finance.

By Mr. PAYNE:  
S. 1018. A bill to amend section 11 of the Administrative Procedure Act, and for other purposes; to the Committee on Government Operations.

By Mr. KERR:  
S. 1019. A bill for the relief of Ibrahim Eldib; to the Committee on the Judiciary.

By Mr. BENNETT:  
S. 1020. A bill for the relief of Laurie Dea Holley and the legal guardian of Karmen Lael Holley, minor child; and

S. 1021. A bill for the relief of Leo A. Ribitzki, Mrs. Charlotte Ribitzki, and Marion A. Ribitzki; to the Committee on the Judiciary.

By Mr. MUNDT:  
S. 1022. A bill to amend title V of the Housing Act of 1949, as amended, and to provide for the insurance of loans thereunder; to the Committee on Banking and Currency.

By Mr. THYE:  
S. 1023. A bill to retire submarginal lands from the production of surplus agricultural commodities; to the Committee on Agriculture and Forestry.

By Mr. SMATHERS:

S. 1024. A bill to amend section 5701 (b) (2) of the Internal Revenue Code of 1954 so as to adjust the rates of tax on cigars; to the Committee on Finance.

By Mr. HUMPHREY:

S. 1025. A bill to provide for the establishment of the Look-Out Mountain National Park in the State of Minnesota; to the Committee on Interior and Insular Affairs.

By Mr. CARLSON:

S. 1026. A bill for the relief of Nihat Cengiz; to the Committee on the Judiciary.

By Mr. NEUBERGER:

S. 1027. A bill providing for the location, establishment, construction, equipment, and operation of a hospital for the mentally ill of Alaska; and

S. 1028. A bill to provide for the hospitalization and care of the mentally ill of Alaska, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. THURMOND:

S. 1029. A bill giving the Commissioner of Education the authority to issue to certain local educational agencies quitclaim deeds to certain temporary facilities, upon a showing of need therefor; to the Committee on Labor and Public Welfare.

### EXCEPTIONS TO APPELLATE JURISDICTION OF UNITED STATES SUPREME COURT AND UNITED STATES COURTS OF APPEALS IN ACTIONS RELATING TO PUBLIC SCHOOLS

Mr. JOHNSTON of South Carolina. Mr. President, I introduce, for appropriate reference, a bill to make certain exceptions to the appellate jurisdiction of the Supreme Court of the United States and of the United States courts of appeals in actions relating to public schools. I have received a letter from the Governor of South Carolina, George N. D. Timmerman, Jr., requesting me to introduce the proposed legislation. I ask unanimous consent that a concurrent resolution adopted by the South Carolina Legislature, relating to this subject, be printed in the RECORD as a part of my remarks.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the RECORD.

The bill (S. 1011) to make certain exceptions to the appellate jurisdiction of the Supreme Court of the United States and of the United States courts of appeals in actions relating to the public schools, introduced by Mr. JOHNSTON of South Carolina, was received, read twice by its title, and referred to the Committee on the Judiciary.

The concurrent resolution of the South Carolina Legislature, presented by Mr. JOHNSTON of South Carolina, is as follows:

Concurrent resolution memorializing Congress to enact legislation limiting the appellate jurisdiction of the United States Supreme Court and the jurisdiction of other Federal courts

Whereas Federal courts and more particularly the United States Supreme Court have through numerous opinions and decisions invaded the fields of the legislative and executive branches of government; and

Whereas through numerous opinions and decisions Federal courts and more particularly the United States Supreme Court have invaded the field of government which



should be left to the control of the several States of the Union; and

Whereas Congress is authorized under the Constitution of the United States to control and limit the appellate jurisdiction of the United States Supreme Court and the jurisdiction of other Federal courts: Now, therefore, be it

*Resolved by the house of representatives (the senate concurring),* That Congress be memorialized to enact legislation limiting the appellate jurisdiction of the United States Supreme Court and the jurisdiction of other Federal courts so that the fields of government of the executive and legislative branches and that of the several States shall not be invaded, but shall remain separate and distinct; be it further

*Resolved,* That copies of this resolution be forwarded to the President of the United States, to each United States Senator from South Carolina, each Member of the House of Representatives of Congress from South Carolina, the Senate of the United States, and the House of Representatives of the United States.

Mr. THURMOND. Mr. President, the Supreme Court's decision of May 17, 1954, overturned all of the legislative action and judicial determination on the subject during the past 90 years, both Federal and State. Under that decision local school authorities are required, as the price of operating public schools, to attempt to engage in a most difficult sociological experiment.

The Supreme Court recognized in its decision the large variety of local conditions to which the decision must be applied. Presumably its implementation will be left by that Court to the district courts which sit in the different localities and are familiar with the problems that they face.

The situation would not be helped by a flood of appeals from the district courts in school cases. Such appeals will only clog the appellate courts and dissipate the time and resources of the school authorities.

I have been studying the problem for some months, and believe that Congress can help in a difficult situation by limiting the appellate jurisdiction of the Federal courts to cases involving public schools in which inequality of a tangible nature is claimed to exist.

The Constitution in article III, section 1, vests judicial power in the Supreme Court and "in such inferior courts as the Congress may from time to time ordain and establish."

In section 3 of the same article, the Constitution specifically provides that the Congress has the power to make certain exceptions to the appellate power of the courts. It says:

In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

Thus, it is clearly within the power of the Congress to limit the appellate jurisdiction of the Supreme Court and the court of appeals, as I propose in the bill I am about to introduce.

The enactment of this bill will strengthen the hands of both the district courts and the school authorities in dealing with the problems now before them. This step has been recommended

by the Governor of my State, and endorsed unanimously by the South Carolina General Assembly, in the interest of preserving efficient public school education for all of our people.

I propose this bill because I believe it to be in the best interests of all people of the United States.

Therefore, I introduce, for appropriate reference, a bill to make certain exceptions to the appellate jurisdiction of the Supreme Court of the United States and of the United States courts of appeals in actions relating to the public schools.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1016) to make certain exceptions to the appellate jurisdiction of the Supreme Court of the United States and of the United States courts of appeals in actions relating to the public schools, introduced by Mr. THURMOND, was received, read twice by its title, and referred to the Committee on the Judiciary.

#### PROPOSED ATLANTIC EXPLORATORY CONVENTION

Mr. KEFAUVER. Mr. President, on behalf of the Senator from Vermont [Mr. FLANDERS], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Washington [Mr. JACKSON], the Senator from New York [Mr. LEHMAN], the Senator from Louisiana [Mr. LONG], the Senator from Michigan [Mr. McNAMARA], the senior Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], the Senator from Oregon [Mr. NEUBERGER], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Maine [Mr. PAYNE], the Senator from North Carolina [Mr. SCOTT], the Senator from Alabama [Mr. SPARKMAN], the junior Senator from Montana [Mr. MANSFIELD], and myself, I submit, for appropriate reference, a concurrent resolution favoring the calling of an Atlantic Exploratory Convention.

I ask unanimous consent that I may proceed for 5 minutes to make an explanation of the concurrent resolution.

The PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred; and, without objection, the Senator from Tennessee may proceed.

The concurrent resolution (S. Con. Res. 12), submitted by Mr. KEFAUVER (for himself and other Senators) was received and referred to the Committee on Foreign Relations, as follows:

Whereas the preservation of democratic institutions everywhere demands united action by the world's leading democracies; and

Whereas the North Atlantic Treaty has already committed its members to "contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions" and to "encourage economic collaboration between any or all of them"; and

Whereas it is essential to determine by what means the democracies can further unify their efforts in the military, political, and economic fields to achieve these objectives; and

Whereas the Nine Power Agreement to extend the North Atlantic Treaty and defence

system to include the German Federal Republic makes such exploration still more timely; and

Whereas it is desirable that this problem be considered by delegates who would act in accordance with their individual convictions and make a public report of their joint findings and recommendations: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),* That the President is requested to invite the other democracies which sponsored the North Atlantic Treaty to name delegates, including members of their principal political parties, to meet in a convention with similarly appointed delegates from the United States and from such other democracies as the convention may invite, to explore and to report to what extent their peoples might further unite within the framework of the United Nations, and agree to form, federally or otherwise, a defense, economic, and political union.

Mr. KEFAUVER. Mr. President, the concurrent resolution I am submitting asks the President to call a convention of delegates of the sponsors of the North Atlantic Treaty to explore and report "to what extent their peoples might agree to form, federally or otherwise, a defense, economic, and political union."

I am informed that it was the intention of a number of House Members to submit simultaneously a similar resolution. Since we have learned the House is not meeting today, it is my understanding that they will introduce a similar resolution at the first opportunity. House Members taking this action, I am informed, are, Representatives HALE BOGGS, STERLING COLE, CLIFF DAVIS, ROBERT HALE, CHET HOLIFIELD, LEROY JOHNSON, WALTER JUDD, LEE METCALF, ABRAHAM MULDER, JAMES MURRAY, JOHN PILCHER, PERCY PRIEST, FRANK SMITH, FRANCIS WALTER, and CLEMENT ZABLOCKI.

The purpose of the concurrent resolution is best expressed in its resolving clause. This clause reads as follows:

*Resolved by the Senate (the House of Representatives concurring),* That the President is requested to invite the other democracies which sponsored the North Atlantic Treaty to name delegates, including members of their principal political parties, to meet in a convention with similarly appointed delegates from the United States and from such other democracies as the convention may invite, to explore and to report to what extent their peoples might further unite within the framework of the United Nations, and agree to form, federally or otherwise, a defense, economic and political union.

I feel that it is urgently important that we take this step. The sudden shift from Malenkov to Bulganin in Moscow yesterday adds greater urgency to the long and ever-growing need to unite the Atlantic community effectively.

It embodies a shift from the civilian to the military side of the Red apparatus, and from accent on consumer goods to accent on heavy industry, or war production. It is too early to say how much of a move it is from a policy of coexistence to one of no-existence—the end result of atomic warfare. Certainly it is a warning flag that shows that the danger of war is nearing, not receding. To shift from consumer goods to military production brings with it internal dangers in the Communist empire. What better way for the Kremlin to forestall possible

unrest and to unite its people than by war?

Certainly the Atlantic democracies would be wise to heed this storm signal and delay no longer in seeking better means to unite their action.

At the same time, the Formosa problem which faces us again in the Senate today points up the chronic failure of diplomacy to assure concerted action by the democracies in the explosive powder magazines of Asia, and save us from the increasing danger of finding ourselves isolated there, without any powerful allies or friends standing with us.

We could not have been in so dangerous a situation had the resolution for a convention to explore the possibility of forming an Atlantic union been adopted when it was last submitted in the 82d Congress. Instead of developing through these years the disunion on which the Kremlin is openly counting for the destruction of freedom, we would have had a plan worked out—and, I hope, in action—for assuring at much less cost effective united action in the Atlantic community by the democratic processes common to all its people against the twin threats of military aggression and economic depression by which communism plans to capture the free nations one after another.

Judging from the experience of the past few years—and indeed, from the long history of military alliances—the longer we delay exploring better means of uniting the free peoples, the worse emergencies we shall face in the coming years, and months.

Mr. President, despite the increase of Communist power since the end of World War II, the democracies of the Atlantic community have together today the ability to insure their security and peace. They still possess together some 80 percent of the industrial capacity of the entire world, the greater part of the world's skilled technicians and workers, and most of the world's resources. Their present lack of security and their fears of a third world war are directly due to their failure as yet to establish adequate political unity.

Most Members of the Senate will recall a day 4 years ago when President Eisenhower, at that time NATO Supreme Commander, addressed the Congress. In his speech he asked this question: "Why, then, are we frightened of dictatorial government?" And he gave this answer: "Only for one reason—because they have a unity of purpose. What we have to do—the only thing we have to do—is to meet that unity with a higher type, the unity of freemen that will not be defeated."

Since that day, the Atlantic democracies have increased their collective military strength and the military effectiveness of the North Atlantic Alliance. Let us not forget, however, that during this same period the rulers of Russia and Red China have increased their military strength and effectiveness and that Soviet Russia is now building hydrogen bombs and transoceanic planes which can drop them on the United States.

During these 4 years, the Atlantic democracies as a group, and notably some of the nations of Western Europe, have

increased their economic strength. Let us not forget, however, that Soviet Russia and Red China have also increased their economic strength even more rapidly under the lash of dictatorial power.

But in these 4 years the Atlantic democracies have not made comparable progress in increasing their political unity. Indeed, conflicts of policy between them concerning relations with areas of Asia and attitudes toward Communist propaganda offensives suggest that they are less united in some respects than they were 4 years ago. Our need for such unity, emphasized then so clearly by our present President, remains both critical and urgent. Threatened by a Communist bloc which can maneuver and strike with dazzling speed, we must still negotiate before we can act jointly.

This contrast between our respective accomplishments in the military field and in the political field is the more striking when our potential capabilities in those two fields are recalled. For our military capabilities are clearly subject to strict limitations for the "long haul," limitations set by the need to maintain a free and prosperous economy.

But there is no limitation on our political capabilities except ourselves. As free men, nothing except our own attitudes, our own will, and our own intelligence can bar us from doing anything which our security and welfare demand.

Our forefathers demonstrated unsurpassed political capacity throughout our history as a nation, first in creating our American Union and afterward in expanding that Union from a fringe of 13 States along the Atlantic seaboard into a continental area containing 50 times as many people and constituting the freest and the most powerful and productive nation in the world. They met the challenge of their time. Shall we fail to meet ours?

Mr. President, we have not yet seriously attempted to achieve the political unity among the principal free nations which is so critically necessary. How necessary it is has been emphasized in the past by the leaders of the present administration.

In his report of April 1952, as NATO Supreme Commander, the President made the following statements:

As we look back over these developments, it seems almost as if the nations of the West have been, for decades, blindly enacting parts in a drama that could have been written by Lenin, prophet of militant communist expansion. This pattern of events, which points so surely to ultimate disaster, can be changed if only the peoples of the West have the wisdom to make a complete break with many things of the past and show a willingness to do something new and challenging.

It is common knowledge that peacetime coalitions throughout history have been weak and notoriously inefficient. Sovereign nations have always found it difficult to discover common ground on which they could stand together for any length of time.

There is power in our union—and resourcefulness on land, sea, and air. Visible and within grasp we have the capability of building such military, economic, and moral strength as the Communist world would never dare to challenge.

The Secretary of State, John Foster Dulles, has also made some impressive statements in this connection in the past.

In a letter addressed to the Atlantic Union Committee on October 22, 1949, he stated:

As a Senator I shall vote for the Atlantic Union Resolution (S. Res. 57) \* \* \* Largely at the insistence of Senator Vandenberg and myself, the arms aid bill was amended to assure that its assistance would be integrated into a common defense under the direction of the Council to be established under the North Atlantic Treaty. However, that Council does not now have adequate authority to establish a genuine common defense.

That is one of the matters that could be, and should be, considered by an Atlantic Union Convention. There are economic and monetary problems that ought also to be considered, in accordance with the Federal principle that matters which are of common concern should be dealt with through an agency dedicated to the interests of all of those concerned. Within any such area of common concern, common action is much more effective and more economical than a multiplicity of separate actions.

In a telegram addressed to the Atlantic Union Committee on November 13, 1952, Mr. Dulles stated:

As you know, I am quite familiar with the work of your committee. I feel that it has an understanding of the nature and infinite capabilities of the Federal system. It is important that this be understood in connection with the development of the NATO organization, because NATO can hardly succeed if it is merely a political alliance of temporary expediency.

In the introduction he wrote in January, 1950, to the New Federalist, Mr. Dulles stated:

There can, however, be little doubt but what this principle of federalism ought to be thoroughly explored as providing a possible way for free peoples to gain the added strength needed to meet the severe tests that fate may hold in store for them. Most Americans have forgotten, and few Europeans have known, how light, but yet how strong, can be the bond of federation.

These words of leaders of the present administration underline the action that needs to be taken. NATO is now the most integrated and developed international organization of the free world as well as the principal bulwark of its security. But NATO is still fundamentally a military alliance. In the military field it has created an Atlantic defense force under a unified command exercised by a supreme commander. But in the political field, power of decision still rests with 14 separate national governments which must agree unanimously before action can be taken—and NATO action is strictly limited to making recommendations. NATO has as yet no adequate machinery for the exercise of civil control over its military forces, despite the fact that civil control over military force is a basic principle of every democratic people.

The danger implicit in this deficiency was indicated by the issue which arose at the December ministerial meeting of the North Atlantic Council concerning the employment of atomic weapons in the event of war. No adequate machinery exists as yet through which 14 national governments could reach agreement within a few hours on this



decision, directly affecting the lives of literally tens of millions of people. Certainly there is now no machinery through which the peoples of these nations could have a voice in this awesome decision through their elected representatives.

Four months ago, on October 4, 1954, eminent leaders of eight of these peoples joined in a declaration of Atlantic unity, addressed to their governments and to the North Atlantic Council, which called for action to repair this glaring and dangerous deficiency. Pointing out that defense in today's terms extends beyond military requirements and into the political, economic, and cultural aspects of our lives they stated:

We believe that nothing less than an effectively integrated Atlantic community, which would include German defense forces, will in the end adequately meet the challenge of the times. The first of five specific measures they requested their governments to initiate was: The development of NATO as a central agency to coordinate the political, trade, and defense policies of the member nations.

The importance of this declaration, formally presented to the North Atlantic Council on December 16, was underlined by the stature of its signatories. Those from the United States included President Truman, General Marshall, Adlai E. Stevenson, Governor Byrnes, Henry Ford II, Paul Hoffman, and John J. McCloy, while the British, Canadian, French, Belgian, Norwegian, and Danish signers comprised many of their countries' most prominent citizens. This declaration furnished convincing evidence that the most eminent citizens of the principal Atlantic democracies realize the urgent need for Atlantic political integration.

The events of the last 6 months have clearly increased this need. The failure of EDC has diverted political development to an important extent from a six-nation basis within Europe to an Atlantic basis. The nine-power agreement which replaces EDC with the Western European Union involves a further extension of NATO in the military field through an increase in the powers of the supreme commander, thereby increasing the pressure and the need for its development in the political field.

NATO is also to be enlarged through the inclusion of the German Federal Republic. Instead of German forces within a European army, there is to be a German national army. In view of the widespread fears this development has raised within several countries in Western Europe and in view of the inevitable uncertainty which clouds the future of a Germany divided by the Iron Curtain, we shall be running very grave risks if we fail to develop Atlantic political machinery adequate to allay these fears and to solidify the adherence of the German people to the Atlantic community on an enduring basis.

The future of Germany is of decisive importance not only to Europeans but also to all the peoples of the Atlantic area. It is essentially a political problem which cannot be solved by military arrangements since any present international military arrangements could be overridden subsequently by a national

political decision. The only sure solution of this problem must be a political one, the development of international political machinery, which, if it is to be adequate, must include the United States.

It was with a profound sense of shock that the American people learned in August of the failure of EDC. This event, I believe, casts some light on the shortcomings of our past and present operating procedures within the Atlantic community. This treaty had been worked out by the foreign offices of the nations concerned and was signed in 1952. The foreign offices reached agreement, but the peoples concerned had no part in this agreement. When the treaty was finally submitted to the legislative body representing the people of France, it was rejected. This event emphasizes the danger of proceeding in matters of common concern on a merely intergovernmental basis.

Mr. President, we have tried for 10 critical years now to meet the overriding problems of attaining security and safeguarding freedom by the methods of diplomacy, which depend upon cooperation between national governments. To claim that we have succeeded would be to claim that the outlook in 1955 is less dangerous than it was in 1945, when there was widespread hope that the end of the Second World War would open a new era for mankind.

Our failure to solve these problems does not imply that the methods of diplomacy have been unwisely applied. It implies that these methods, and any methods limited to intergovernmental cooperation, are inadequate to meet problems of such complexity and scope. It implies, further, that we need to do more than seek by piecemeal methods to tackle these problems separately one at a time, while the stockpiles of hydrogen bombs progressively grow. We need to explore on the broadest basis the possibility of a comprehensive, overall solution. Diplomatic agencies can seek to correlate governmental policies, but, however skillful and experienced their members may be, they cannot themselves create unity or policy.

Within our country, both nationally and locally, the peoples participate in the determination of policy through their elected representatives. But in the policymaking of the Atlantic community the peoples have no part; the role of their elected representatives is limited to accepting or rejecting policies which their executive officials have determined.

Mr. President, the events of the last decade demonstrate the urgent necessity of bringing the peoples into the effort to solve our overriding problems, enlisting the aid of their wisest minds, and providing them with an opportunity to study these problems together and to explore such solutions as appear to them to be practicable. Such a meeting would neither halt nor interfere with the diplomatic operations of their governments; it would supplement them.

The purpose of the resolution for an Atlantic exploratory convention is to bring about such a meeting of the most competent citizens of the Atlantic de-

mocracies. On behalf of the other sponsors of this resolution, I wish briefly to explain certain provisions in its enacting clause.

It requests the President to invite the other democracies which sponsored the North Atlantic Treaty—Canada, Britain, France, Belgium, the Netherlands, and Luxembourg—to name delegates to meet in a convention with similarly appointed delegates of the United States. There is no reason why the President should not, if he deemed it desirable, undertake this initiative jointly with the Prime Minister of Canada or Britain or of any other of these nations. Because these seven nations have already joined in sponsoring the North Atlantic Treaty, this exploratory convention can most appropriately be initiated by them.

But the resolution provides that the convention may invite other democracies to participate, thus removing the onus of our Government having to choose between one friendly nation and another. The convention can issue such invitations without disturbing the friendly relations between governments.

The proposal for such a convention as a means of dealing with overriding problems which intergovernmental cooperation has failed to solve has its roots deep in our history, in the Philadelphia Convention which achieved such outstanding success in 1787. There the delegates were officially appointed by their State governments but were not instructed by them. They deliberated as individuals in their search for solutions, made proposals and withdrew them or modified them as a result of argument and debate. This method resulted in the most astonishing and enduring success in history—the United States Constitution. Yet our war-torn generation of today has tried to solve our problems only by the Old World methods of diplomacy. We have never once tried to solve them by this Philadelphia Convention method, which produced so remarkable a result. It is this successful method which the present resolution would have us try now.

The delegates to the convention proposed in this resolution would be appointed by their governments, thereby insuring that men of the highest competence and experience would devote their full time to this high mission for as long a period as might be required. The delegates from the United States could appropriately be appointed by the President with the advice and consent of the Senate. They would include members of the principal political parties, a provision which clearly envisages the participation of Members of both Houses of the Congress. They would, however, as the last paragraph in the preamble makes clear, act as individuals, in accordance with their individual convictions, just as the delegates did in Philadelphia in 1787. Under this procedure, division of the convention into national delegations, which would be instructed by their governments and would negotiate and bargain with each other as in a diplomatic conference, would be avoided.

The purpose of the convention is delineated clearly in the resolution. It is

to explore and to report to what extent their delegates believe their people might further unite within the framework of the United Nations and to what extent they might agree to form, federally or otherwise, a defense, economic and political union. After comprehensive exploration of possible courses of action within this broad framework, the delegates would draw up a public report of their joint findings and recommendations.

This concurrent resolution is purposely drawn in these broad terms in order to provide the convention with the widest scope for study and recommendation. The phrase "federally or otherwise" was inserted for this purpose. In our own historic experience, we have built upon Federal foundations, and found them most successful. But it is quite possible that new and different methods may be found today to unite more closely the peoples of the democracies concerned. This phrase makes it clear that the delegates need not confine themselves to any one line of approach. The broad language of this resolution appears all the more desirable in view of the provision that the delegates shall consider "to what extent their peoples might agree to form a defense, economic and political union."

Members of this House will recall Senate Concurrent Resolution 4, which was submitted in the 82d Congress on January 15, 1951, and was popularly called the Atlantic Union resolution, with impressive bipartisan support in both Houses of the Congress.

It was supported also by the Atlantic Union Committee which was formed in 1949, with former Supreme Court Justice Owen J. Roberts as president and former Under Secretary of State Will L. Clayton and the late Robert P. Patterson, former Secretary of War, as vice presidents. This committee comprises more than a hundred local chapters in all parts of the country, as well as a national council of 600 leaders in American life, which includes three former Under Secretaries of State.

That resolution provided for a convention of the same form and character as this concurrent resolution. But it was the subject of considerable misunderstanding and not a little willful misrepresentation. Its opponents charged that it would establish a superstate; that it would destroy the Government of the United States even though its actual text provided only for the meeting of such an exploratory convention.

In order to make it clear to all that the purpose of this resolution is solely the convocation of the exploratory convention for which it provides, the text of this resolution has been modified to avoid such misunderstanding and minimize the possibility of willful misrepresentation. The title also states this purpose.

There is no commitment in this resolution other than to call for such exploration and recommendations by a body selected from the peoples of our democracies. There is certainly no commitment to any action which would decrease the powers of the Government of the United States. Any such action

which the American people might consider wise at some future date in the light of the recommendations of the convention would necessarily be undertaken by the Congress of the United States in accordance with our constitutional processes.

I do not see how any Senator of the United States who believes in our political system and acknowledges the sovereignty of the people can oppose the convocation of a convention of this nature, limited in its function to exploration and recommendation. To oppose it is to say "No, we will not give the American people and other Atlantic peoples a chance to explore possible solutions of their common problems. We insist that the task of seeking solutions of these problems, even though they involve the lives of tens of millions of Americans and the future of our country, shall be entrusted solely to diplomatic officials."

Objections which have been raised in past years to such a convention have suggested that their proponents prefer that the security and welfare of the United States and the Atlantic Community should indeed be sought solely through diplomatic machinery.

It has been objected that before any American citizens could attend this convention, a detailed United States position would have to be prepared such as is customarily prepared before a diplomatic conference. In that case, of course, other nations would also prepare national positions and the result would be negotiations based on these positions similar to those which occur in diplomatic conferences.

One of the great advantages of the convention we propose is that it avoids this roadblock. The delegates to the convention could speak and act as individuals, unable to commit their governments or even reflect governmental positions. They would meet as outstanding leaders of the Atlantic Community to explore the possibilities of finding practicable solutions of our common problems.

They would be able to take a new look at these problems and seek, as individuals, a meeting of minds upon what appeared to them to be viable solutions. Instead of seeking to resolve conflicts between predetermined national approaches, they would be free to seek a common approach.

Objections have been raised in the form of fears of the consequences of the convention, fears that reflect a negative view of this new approach to a solution of our common problems and a disregard of its positive potentialities.

Fears have been expressed that the convention might fail and thereby retard rather than promote progress toward greater Atlantic solidarity. Expression of these fears raises the question "fail to do what?" The convention might, indeed, fail to produce any overall and viable plan for solving the acute and complex problems which confront the Atlantic democracies. But it is surely exceedingly unlikely that a convention comprising many of the best minds in the Atlantic Community could explore

possible solutions of our common problems over a period of several months and fail to produce some constructive proposals. When these problems are as difficult and as complicated as they are today, any constructive proposals which might facilitate their solution would be of inestimable value.

A related fear is that the convention might fail to live up to popular expectations, and thus produce a psychological setback. This hypothetical danger can easily be averted by the Atlantic governments before the convention meets and by the delegates themselves after it is convened. They need only point out the complexity of the task before the convention and make public such realistic appraisals of its prospects as appear desirable.

A third fear is that the convention might go too far and make recommendations which the peoples of the United States and the other participating democracies would not be willing to accept. The answer to this objection can be found in the character and caliber of the men who would serve as delegates. Most of them would assuredly be men with long experience in public life, unlikely to agree to visionary or impractical proposals. Senators, Congressmen and parliamentarians among the delegates would be in close touch with their colleagues and their constituents. I do not have to stress here the sensitivity of legislators to public opinion. Most of the delegates, moreover, would be in frequent contact with leaders in their governments.

Finally, there is the fear that differences of opinion within the convention might divide the Atlantic democracies on some of the issues discussed. To yield to this fear would be to distrust the democratic process at its best. Some conflict of views is inevitable in any public meeting, but conflicts of views between individuals do not produce the serious divisions between nations which result from similar conflicts between their national representatives. Yet this far greater risk of division is readily incurred by the United States and the other democracies, in all the organs of the United Nations and in all international conferences.

In recent weeks the question has been raised whether this resolution may not be untimely in view of the urgent importance of ratification of the Paris agreements. This question merits consideration and I believe it has a readily evident answer as soon as it is analyzed. It may be that the implementation of this resolution by the President, the dispatch of invitations to other governments to name delegates to the convention, might introduce a new factor into Atlantic relationships and thereby influence the ratification of the Paris agreements in Europe. But such implementation lies, at the best, many months away. First, the resolution must be adopted by both Houses of Congress, and before that can happen it must be passed upon by the Foreign Relations Committee and the Foreign Affairs Committee which both have a high sense of responsibility and an expert knowledge of the immediate objectives of our foreign policy.



I am convinced, however, that the submission of the concurrent resolution sponsored by 14 Senators in the United States Senate today and its simultaneous submission in the House of Representatives, will contribute directly to early ratification of the Paris agreements. It will be regarded in France, in the German Federal Republic and in all other nations which must still ratify these agreements as a proof that there is powerful support in the Congress of the United States for further development of the Atlantic community. They also recognize that the failure of EDC and the inclusion of the German Federal Republic directly in NATO have made further development of the Atlantic community imperative. Knowledge that this impressive support exists in the Congress for a resolution proposing a convention which would explore on the broadest basis the possibilities of achieving this objective will give them new hope and confidence that ratification of the Paris agreements will not lead up a dead end street, but will contribute toward the Atlantic development which these agreements themselves and the time in which we live have made urgent and necessary.

Mr. President, the history of the last few years has shown that progress on an Atlantic basis and progress in Europe are closely interrelated. When we have taken the lead in developing NATO and have emphasized the importance of increasing the solidarity of the Atlantic community, which includes our country, Canada and Britain as well as the countries of Western Europe, we have seen progress toward unity in Europe. But when we have refrained from mentioning the word "Atlantic," have called only for unity in Europe and have exerted pressure to persuade Europeans to take steps in which we were to have no part, the result has been failure.

Yet we recognized in 1949 by becoming a party to the North Atlantic Treaty that our defense and theirs were inseparable. Surely, there is every reason why we should explore together in common, in a convention comprising our best minds and theirs, how our common defense might be made more effective and less costly and how we might attain that greater unity for which President Eisenhower has so consistently called.

This concurrent resolution opens to the democracies a new and broad road toward the attainment of this objective. At the same time, it provides the free nations with a means of taking the initiative in the war of ideas which forms a central part of the cold war. We cannot win the war of ideas if we remain on the defensive. To move forward toward ultimate victory in this ideological struggle, to make possible an expansion of the frontiers of freedom which have receded so far in the last decade, we must take the offensive.

The passage of this concurrent resolution by the Congress of the United States would electrify free men everywhere, providing them with a new and tremendously dynamic idea. It would give us the initiative in the war of ideas, politically and psychologically, and

force the Communists onto the defensive. It would generate hope and confidence wherever people are permitted to read the news and listen freely to the radio, and some of that hope would seep through the cracks in the Iron Curtain.

For with all their military strength and all their skill at subversion, the Communists are powerless to stop the calling of this convention to explore to what extent democratic nations can further unite. This initiative depends solely upon us. In seeking closer union between free peoples, there is no limitation upon our capabilities except ourselves.

#### ESTABLISHMENT OF OFFICE OF SENATOR-AT-LARGE FOR EX-PRESIDENTS—ADDITIONAL SPONSOR OF BILL

Mr. KILGORE. Mr. President, yesterday, I introduced the bill (S. 1010) to create the office of Senator-at-Large in the Senate of the United States for ex-Presidents of the United States. I ask unanimous consent that the name of the junior Senator from Minnesota [Mr. HUMPHREY] be added as a cosponsor of this bill.

The PRESIDENT pro tempore. Without objection, it is so ordered.

#### HOUSE BILL REFERRED

The bill (H. R. 3005) to further amend the Universal Military Training and Service Act by extending the authority to induct certain individuals, and to extend the benefits under the Dependents Assistance Act to July 1, 1959, was read twice by its title, and referred to the Committee on Armed Services.

#### ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD as follows:

By Mr. WILEY:

Address on the subject of American foreign policy, delivered by him at the University of Cincinnati, February 4, 1955.

By Mr. WILLIAMS:

Address delivered by Senator BRICKER before the Edison Pioneers, in New York on February 5, 1955, in observance of the 108th anniversary of Thomas A. Edison's birth.

#### NOTICE OF MEETING OF JOINT COMMITTEE ON ATOMIC ENERGY, SENATE SECTION

Mr. ANDERSON. Mr. President, I should like to give notice that the Joint Committee on Atomic Energy, Senate Section, has determined to hold a public hearing in the matter of the confirmation of Dr. John von Neumann to be a member of the Atomic Energy Commission at 2:00 p. m. on Tuesday, March 8, in the old Supreme Court Chamber of the Capitol.

I give this notice so that any Senator who may wish to attend or present testimony will have sufficient notice.

#### DEATH OF FORMER SENATOR RUSH DEW HOLT, OF WEST VIRGINIA

Mr. KILGORE. Mr. President, it is with deep regret that I announce the death of our former colleague, the Honorable Rush Dew Holt, of Weston, West Virginia.

Senator Holt died yesterday in the National Institutes of Health, where he was being treated for a rare form of cancer.

Although he was only 49 years of age, he had lived a full and active life, and he long will be remembered in both his home State and the Nation's Capital.

Senator Holt was a brilliant young man, first winning statewide prominence upon his election to the West Virginia House of Delegates when he was only 25 years of age.

Almost immediately he attracted statewide attention, and while only 29 years of age he was elected to the United States Senate.

As many of our senior colleagues well remember, Senator Holt's seat was contested.

After a long debate, the United States Senate voted to seat Senator Holt, following a precedent established 130 years earlier when another brilliant young American, Henry Clay, then only 29, sought admission to the Senate.

Following his 6 year term in the Senate, Senator Holt returned to West Virginia and took an active part in politics, later serving in the State legislature.

At the time of his untimely death, Senator Holt was a member of the West Virginia House of Delegates, but because of his critical condition he was unable to take his seat during the current session now in progress in the State Capitol.

During his colorful career, Senator Holt was affiliated with both great political parties, and he achieved great prominence for his ability as an orator and advocate.

Senator Holt is survived by his widow and two children, Helen Jane and Rush D. Holt, Jr.

Funeral services tentatively are set for Friday in the Weston Methodist Church, of Weston, West Virginia, where Senator Holt taught the men's Bible class for the past several years.

Mr. President, on behalf of my colleagues, I wish to extend deepest condolences to Senator Holt's family in this grave hour of tragedy.

Senator Holt will be greatly missed.

No one can ease the pain for his family, but there is some consolation in the fact that Senator Holt achieved great heights in his short life, and he will be remembered for years to come.

#### THE PRICE OF EGGS

Mr. LANGER. Mr. President, approximately 2 weeks ago I placed in the RECORD a letter written by Mrs. Lloyd Randall, of Lake Williams, N. Dak., stating that she had sold eggs at 6 cents a dozen. Later, off the floor, some Senators challenged the accuracy of that price, and stated that the price of eggs in the Northwest was 21, 22, 23, 24, and 25 cents a dozen.

I have in my hand a receipt from the Farmers Co-op Creamery Association, of LaMoore, N. Dak., given to Charles Roth, of LaMoore, N. Dak., signed by Donald L. Lauf, showing that Mr. Roth had sold

on October 7, 1954, 30 dozen eggs at 6 cents a dozen. The receipt shows that Mr. Roth got \$1.80 for the 30 dozen eggs.

Mr. President, I ask unanimous consent that as much of this receipt as may

be printed be published in the RECORD at this point in my remarks.

There being no objection, the receipt was ordered to be printed in the RECORD, as follows:

## FARMERS CO-OP. CREAMERY ASSOCIATION

No. 12307

LaMOORE, N. DAK., 195... 77-125

Pay to the order of Charles Roth.....\$1.80  
(Not good after 60 days)

Farmers Co-op. Creamery Ass'n.....\$1 and 80 cts.

The First State Bank,  
LaMoore, North Dakota }

FARMERS CO-OP. CREAMERY ASSOCIATION  
By DONALD L. LAUF

FARMERS CO-OP. CREAMERY ASSOCIATION  
LaMoore, North Dakota

Grade	Doz.	Eggs	Price	Amount
Extra				
No. 1				
No. 2				
Pullets	30		0.6	1.80
Short				
Rots				
Total				

WINNING ESSAY ON THE SUBJECT  
OF "WHAT THE BILL OF RIGHTS  
MEANS TO ME"

Mr. BUTLER. Mr. President, in recent months the National Association of Real Estate Boards has conducted a very noteworthy essay contest among students of parochial, private, and public high schools on the subject of What the Bill of Rights Means to Me. The Real Estate Board of Baltimore, my home city, was a participating sponsor of this contest, and I am proud to state that an outstanding student of Baltimore City College, Samuel F. Lambert, Jr., not only was the winner at the local level, but also placed third as a national winner.

On December 15, 1954, it was my pleasure to entertain young Samuel Lambert here in Washington. I was so impressed by him and his very excellent and moving essay, that I should like to read it into the RECORD:

WHAT THE BILL OF RIGHTS MEANS TO ME  
(By Samuel F. Lambert, Jr., Baltimore, Md.)

The Bill of Rights grants me privileges for which men have struggled for centuries. It is the guardian of my personal freedom. Because of it, I shall never endure such hardships as did some of my ancestors.

I need not fear death or banishment because I worship God according to the dictates of my conscience. I will not be imprisoned for expressing my own opinions. My person, house, or belongings cannot be seized or searched without legal warrant. I am assured of justice, of fair trial. I will never undergo cruel or unusual punishment.

Besides granting me such protection, the Bill of Rights truly recognizes my dignity as an individual. Democracy is based on the belief that the majority of people instinctively know what is best for them. The Bill of Rights firmly supports this belief. Public opinion is an important factor in the forming of our domestic and foreign policies. And what is public opinion but the collective voice of individuals whose dignity is recognized by the granting of freedom to speak and write their own opinions?

Much of America's growth in various fields is due to the impetus given to individual effort and achievement by our Bill of Rights. Without freedom of worship there could not have been the spiritual development which has not only strengthened us, but has also inspired a feeling of brotherhood toward other peoples, creating in us the desire to help them. Without freedom of speech and press, we could not have made such great progress in science and industry, nor such improvement in our general living conditions. Only a people who are free to make

their voices heard can really grow materially as well as spiritually.

All men everywhere can dream of a better life, but only where there is freedom of expression and action can the dream become reality. It is this freedom that is given us by our Bill of Rights.

Because of it, I believe in America and in America's future. I believe that with this freedom there is no limit to what we can accomplish. I believe that under the Bill of Rights any man, regardless of race, creed, or color, can by earnest application and hard work make his dreams come true.

Because I believe all this, I regard the Bill of Rights not only as a protector of my freedom and a recognition of my personal dignity, but also as a challenge. I accept its challenge to be a good citizen, to use these precious rights and freedoms only for the good of the country that has given so much to me.

In brief, I regard the Bill of Rights as our hope for keeping America a land where a man can walk without fear. To me, this is a hope that makes life worth living, a hope that is worth defending with life itself, if need be.

PRESIDENT'S SCHOOL-AID PRO-  
GRAM HOLDS SCANT HOPE FOR  
STATE OF OREGON

Mr. NEUBERGER. Mr. President, the school-aid program proposed by the President fails utterly to meet the needs of the State of Oregon, which has experienced one of the largest increases in school population of any State in the Nation.

It is another demonstration of "government by gimmick." Great fanfare heralds an administration proposal. Yet, the proposal itself adds up to virtually nothing.

The present school emergency calls for a Mae West lifejacket. The President threw out a lifesaver—a candy one.

About the only direct aid in the President's plan is to so-called impoverished districts. The districts in Oregon are not impoverished, but they are staggering under an incredible load of school needs. Are they to be denied Federal aid?

The rest of the President's program consists principally of borrowing facilities. It may be easier for school districts to borrow money—often at banker's rates. What kind of assistance is this?

A brief summary of the situation in my State will show vividly how completely inadequate are the proposals

which came from the White House on February 8, 1955.

School enrollment in Oregon in 1952 was 295,800. Today, it is 353,987. In 1960, it will be 463,428.

The schools of Oregon will need 3,500 new classrooms by 1960. The estimated cost of these new facilities will be \$100,-698,319—a huge burden in a State of only 1,620,000 population. For example, an additional \$3,335,000 will be required just to furnish school buses to transport the increase in enrollment.

The Oregon Education Association, a conservative organization which is cautious in its statements, announced at the start of the last school year that the critical Oregon situation seemed to make essential some form of Federal aid. But the President's proposal offers no genuine aid. It merely encourages overburdened districts to add to their burdens.

The Oregon Education Association estimates that if Oregon teacher salaries are to be raised at least to the existing level in the State of Washington, the extra cost by 1960 will be \$36 million annually—especially after Oregon hires 5,300 new teachers to train the children who will be among the increased school enrollment.

Such expenditures cannot be postponed. Each generation comes this way but once. If schooling is inadequate or backward, the children will suffer for it all through their lives as American citizens. If teachers are not properly trained, the harm thus done can affect adversely the whole future of our Nation. Can we enlist competent and well-educated men and women in the teaching profession unless salaries, tenure, and conditions of work are attractive?

All these things confront the United States today, and particularly States like Oregon, where school enrollment has risen astronomically because of a 40 percent general population increase between 1940 and 1950.

Because of the critical school situation, I have been pleased to join with the Senator from Alabama [Mr. HILL] and 35 other Senators in sponsorship of a bill (S. 772) which would allocate to the schools of the Nation all revenues from the valuable outer continental shelf oil reserves which lie off some of our seacoasts. I also have been privileged



to join in sponsorship of a bill by the Senator from Arkansas [Mr. McCLELLAN] (S. 686) providing Federal financial assistance to the States for the construction of elementary and high-school facilities such as classrooms and other needed structures. In addition, I have joined with the Senator from Alabama [Mr. HILL] and other Senators in sponsorship of the Hill bill to provide \$500 million in financial assistance for construction of urgently needed school facilities in the Nation.

Mr. President, I ask unanimous consent to include in the RECORD with my remarks a statement entitled "Schools in Our Expanding Economy," published by the Oregon Education Association of my State; a column from the Washington Post and Times Herald of January 18, 1955, by the distinguished columnist, Marquis Childs, entitled "Budget Fails To Inspire Educators"; and an editorial from the Washington Post and Times Herald of February 9, 1955, entitled "Half a Loaf," which accurately assays the feebleness and inadequacy of the President's proposals for school aid.

There being no objection, the statement, article, and editorial were ordered to be printed in the RECORD, as follows:

[From Better Schools—Oregon Education Association]

#### SCHOOLS IN OUR EXPANDING ECONOMY

American standards of living have been rising steadily for decades and at an accelerating pace. But few citizens stop to consider that their Government, at all levels, is an important factor in their living standards.

In our expanding economy, people have demanded more and better governmental services. They have sought sewage-disposal plants, added fire protection, more efficient police departments, better school buildings and broadened teaching services. In seeking these and other services, they have simply been asking that their Government keep pace with their economy—with their rising living standards.

An expanding population and technological improvements have made these added governmental services possible. We have demanded them and are able to afford them.

Machines now make it possible for fewer and fewer workers to provide the basics of life—food, clothing, and shelter. New methods and materials have relieved more and more workers and professional people to provide the services of government, education, law, medicine, and other activities that are not productive in the material, hand-labor sense, but that are an integral part of our standard of living.

Especially in the past century, there has been a spectacular expansion of American life.

Schools have shared in this spectacular change. The numbers of pupils have vastly increased, the school plant is vastly bigger, students are staying longer in school, the curriculum is broader. School changes have, in general, kept pace with our rising living standards.

We Americans have always attached great importance to our schools—and made provision for their maintenance. Through the Northwest Ordinance of 1787, our pioneer forebears set aside one section of land in every township for support of schools. When Oregon gained statehood in 1859, two sections of land in every township were earmarked for educational support. Oregon's first governor was also designated superintendent of public instruction, and legislation early in our Territorial history gave specific attention to schools.

Education was exalted by the early Americans because they knew the importance of a literate citizenry. A citizenry that could read the Bible; that could know and observe the Nation's laws; that could learn new trades; that could master the lessons of common defense—quickly if need be.

Schools in Oregon met most of the State's fundamental needs until the depression of the 1930's. But then serious problems arose.

School buildings were neglected for nearly a decade due to the rigors of our economy. New construction was barely underway following the depression when World War II struck and halted building for another 5 years. By the time new building plans could be implemented in 1947, a 17-year lag in construction had accumulated.

During World War II, teachers left the profession by the hundreds for higher paid wartime work. And then came the unpredictable tidal wave of postwar births, climbing to a high point of nearly 40,000 in Oregon in 1953.

School needs—and school costs—climbed and climbed and climbed. The end is not yet in sight. Enrollments are continuing to rise, and we citizens continue to seek further services from our schools.

Financing our schools is part of the overall problem of financing our Government. School taxes are paid by the same group of people who finance other governmental services. That is why, in the following pages, school financing is considered in relation to all governmental costs—Federal, State, county, local. The vast requirements of the Federal Government are shown; the growing demands of the State in the fields of road-building, welfare, and building construction are indicated.

It is the intention of the Oregon Education Association, in publishing this booklet, to give citizens this overall picture—and especially to encourage wider knowledge and study of the special problems of the schools.

#### THE NEXT 10 YEARS WILL BE CRITICAL FOR OREGON SCHOOLS

1. New births have been at high levels since 1947. Immigration continues strong.
2. School plant construction was neglected during the depression, and later during World War II. It has not caught up.
3. Teacher supply both in numbers and qualifications, remains too low.
4. Local districts will be heavily bonded, on the average, by 1960.
5. Competition for public funds with highways, public institutions, city and county governments, is keen and getting keener.

Meanwhile, our schools' future remains closely tied to the world situation. In the long run, our whopping defense budget is the only possible source of major local tax relief. Thus a definite easing of world tensions might make school financing much simpler. On the other hand, a new crisis or war would boost defense expenditures, multiply the national debt and put our schools even farther behind.

We cannot safely base our actions on any assumed trend in world affairs. We must decide on the type of schools we want, and plan to provide them with the means at hand, under existing conditions. This will mean hard choices and additional sacrifices, but the fruits of this course will be bountiful. We will be investing in the future well-being of our State, its economic well-being, its social well-being, its spiritual well-being. Less we should not attempt. Less we cannot afford to do.

[From the Washington Post and Times Herald of January 18, 1955]

#### BUDGET FAILS TO INSPIRE EDUCATORS (By Marquis Childs)

What was not included in the Eisenhower budget for the new Government year has

caused almost more stir than what it did contain. Educational leaders who obtained advance copies of the President's budget message were shocked to find that there was no allocation for Federal aid for school construction.

They felt especially let down since in his state of the Union message President Eisenhower had said that "positive affirmative action must be taken now" to overcome an unprecedented classroom shortage. The educators had thought that this meant at least some Federal aid would be forthcoming to help overcome the shortage of classrooms throughout the Nation, estimated up to 370,000.

When he addressed Congress on January 6, the President promised a special message on education to be sent up on February 15. But since there is no allocation to school aid in the new budget, educators are putting slight hope in the forthcoming message.

Several Congressmen are reported to have been given a preview of what the President intends to propose. He will recommend, it is reported, a Federal school-building authority which will aid and encourage the formation of State school-building authorities.

The Federal authority will have a small fund for grants-in-aid to States least able to finance their own schools. According to one report, this will be only \$25 million. In the light of present school-construction needs, estimated conservatively at \$4 billion a year for the next 5 years, and somewhat less thereafter, this in the view of education officials would be an insult.

It is also reported that the President's message may recommend an additional sum for scholarships and fellowships in colleges and graduate schools. This will start at \$50 million a year and go up to \$200 million at the end of 4 years. Linked with this is the report that the President will recommend construction aid for colleges.

But in view of the desperate need at the grade-school and high-school level it seems unlikely that the White House would propose funds for advanced education. One authority estimates that 20 percent of all pupils are now attending school in firetraps, while 10 percent of all elementary pupils are in buildings more than 50 years old.

The President in his budget message sticks closely to the line of State responsibility. Educational leaders had hoped that perhaps this line had been breached when in his state of the Union address he had spoken of the need for the Federal Government to serve as "an effective catalyst" in dealing with the serious school shortage. The word "catalyst" appeared in the text of the President's talk as released by the White House. But in reading it Mr. Eisenhower substituted the word "agent."

Senator LISTER HILL, Democrat, of Alabama, new chairman of the Senate Labor and Education Committee, has introduced a bill providing \$500 million a year for school construction. It has 30 sponsors, 23 of them Democrats and 2 Republicans. There has been some talk of bringing this out of committee without formal hearings, since it is identical with a bill sponsored in the last Congress by former Senator John Sherman Cooper, of Kentucky, except for the fact that the Cooper bill called for expenditures of \$250 million a year.

Favorable action is expected from the Senate. The bill will have tougher going in the House. Those opposing it are said to feel that the segregation issue—an amendment stipulating that no State practicing segregation in education shall receive funds under the measure—will kill it in the House.

Mrs. Oveta Culp Hobby, head of the Department of Health, Education, and Welfare, has repeatedly opposed Federal help for school construction. She has counseled patience until the White House conference on education to be held this fall, which will be followed by a series of State conferences.

The President in his budget message also refers to these conferences, holding out the hope that they will provide "long-range solutions to the problems and will place in better perspective the obligations and opportunities of the respective levels of government." But those who are concerned over the desperate overcrowding in the schools, which they link with the rapid rise in juvenile delinquency, insist that waiting for a long-range solution will deprive a whole generation of a decent opportunity for education.

[From the Washington Post and Times Herald of February 9, 1955]

#### HALF A LOAF

The President's education message is an attempt to apply a poultice to a cancer. It recognizes the disease—a deficit, as the President put it, of more than 300,000 classrooms in the physical facilities for learning available to the Nation's children. This recognition is a significant step forward and renders a most valuable service to the Nation. But the remedy proposed by the President seems to us hesitant, temporizing, and inadequate.

Mr. Eisenhower's hesitation grows out of a fundamental misapprehension. He fears that Federal aid to State public school systems may introduce an element of national interference in local activities which ought to be kept resolutely independent. But the fear is an unreal one. The proposals for Federal aid put forward by the appropriate committees of the House and the Senate obviate any danger of Federal control. They offer financial assistance from the Nation because the problem is a national one and because the States lack the resources to meet it; but they carefully preserve local responsibility and local independence.

Instead of a program of direct and simple financial aid to the States, Mr. Eisenhower has proposed a complicated system under which the States and the Federal Government cooperatively would purchase school bonds issued by local communities. He acknowledges, however, that restrictive debt limits forbid many school districts to borrow in this fashion and that in many others the amount of taxable property and local income is so low as to make it impossible for the district either to repay borrowed money or rent a satisfactory school building. To the impoverished districts he would make Federal grants in conjunction with the States—thus breaching, so far as they are concerned, the wall he had previously erected against Federal intervention. If direct Federal aid will not imperil the independence of communities unable to borrow, it will not imperil the independence of more solvent communities.

We think the President has balked at a bugbear. The condition of the schools as he has pictured it constitutes a national crisis. Congress now has before it carefully considered bills which will meet this crisis more quickly, more generously, and more effectively than the President's plan. We hope it will enact one of them soon.

Mr. MORSE. Mr. President, I did not know that my colleague from Oregon was going to make the statement he has just made. I wish to commend him for the soundness of his position on the President's window-dressing school-aid bill, and I desire to join my colleague in all his comments on the President's very unsound school-aid program.

Mr. NEELY. Mr. President, the editorial entitled "Half a Loaf," which appears in today's Washington Post and Times Herald, and which was just ordered inserted in the RECORD at the request of the junior Senator from Oregon [Mr. NEUBERGER], contains a number

of timely and impressive observations and many words "fitly spoken" which, as usual, are "like apples of gold in pictures of silver."

The attention of the Senate is invited to a few of those observations, as follows:

The President's education message is an attempt to apply a poultice to a cancer. It recognizes the disease—a deficit, as the President put it, of more than 300,000 classrooms in the physical facilities for learning available to the Nation's children. This recognition is a significant step forward and renders a most valuable service to the Nation. But the remedy proposed by the President seems to us hesitant, temporizing and inadequate.

We think the President has balked at a bugbear. The condition of the schools as he has pictured it constitutes a national crisis. Congress now has before it carefully considered bill which will meet this crisis more quickly, more generously and more effectively than the President's plan. We hope it will enact one of them soon.

Mr. President, let me wholeheartedly concur in that praiseworthy expression of hope, and reduce the generality to Senate bill 5, which was prepared and sponsored by the eminent Senator from Alabama [Mr. HILL], and in which 29 other Members of this body have joined. In my opinion, it would be as impossible to solve the Nation's present educational problems in the manner recommended by the President as it would be to extinguish a city-wide conflagration with a squirt gun.

#### SPREAD OF SEA LAMPREYS—LETTER FROM FEDERATION OF FRESH-WATER FISHERIES

Mr. WILEY. Mr. President, I send to the desk a very important letter from the managing director of the Federation of Fresh-Water Fisheries, located in Grand Haven, Mich.

Mr. Claude Ver Duin writes concerning the importance of continued adequate appropriations to combat the vampire eel menace which has all but destroyed Great Lakes fisheries.

Ever since the sea lamprey first struck against Great Lakes fisheries, I have been in contact with the Fish and Wildlife Service and have been urging an all-out fight against this menace. I heartily endorse Mr. Ver Duin's statement on the continued significance of allocating sufficient funds for this task.

I ask unanimous consent that the text of his letter be printed at this point in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEDERATION OF FRESH-WATER FISHERIES,  
Grand Haven, Mich., January 29, 1955.  
HON. ALEXANDER WILEY,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR: The United States Fish and Wildlife Service has done an admirable job of retarding the spread of sea lampreys in Lake Superior. The Service is now prepared to launch an all-out campaign against these dangerous parasites in Lake Michigan. We believe that a continuation of the present program will save the Lake Superior fisheries, and lead to the rehabilitation of those located on Lake Michigan.

To date a little more than \$1 million have been spent in an effort to control the lampreys and save our valuable fisheries. This year budget officials in Washington propose to curtail the sea-lamprey program by cutting the appropriation more than 50 percent. We believe that such a reduction in the program could nullify all of the efforts and investments to date. Sea lampreys have a 7-year life cycle. A reduction in the program at this time, for even a year, would permit the spawning of a year class that could completely overrun the lakes again. It is imperative that sufficient funds are appropriated to keep the program moving ahead at the level that has been established in the past 3 years.

Wisconsin has a real stake in this program. Commercial and sport fishing in your State is big business. The fisheries are also a tourist attraction that brings thousands of dollars to the shore communities each year. We must continue our fight to save this valuable natural resource.

On September 10, 1954, a treaty was signed with Canada for coordinated sea-lamprey control and fisheries research. This new program cannot possibly be inaugurated during the coming fiscal year. Each country will continue its own program, coordinating their efforts through close liaison. Canada has secured and plans to spend \$500,000 during the next year. We shudder to think what their reactions will be if the \$320,000 budget request of our Fish and Wildlife Service is cut to \$150,000.

We hope that you will support a continuation of the fight against the sea lamprey menace and help secure the necessary funds to properly finance this work.

Sincerely,

CLAUDE VER DUIN,  
Managing Director.

#### LETTER FROM WISCONSIN JUVENILE OFFICERS' ASSOCIATION

Mr. WILEY. Mr. President, as I have stated on many occasions, the real answer to the problem of juvenile delinquency throughout our Nation is by constructive action at the grassroots. I am proud to say that my own State of Wisconsin has been in the forefront in this effort.

I was pleased today to hear from one of the distinguished law-enforcement officers of my State, Capt. Michael S. Wolke, director of the Youth Aid Bureau of the Police Department of the City of Milwaukee. This department is, I may say, one of the great police organizations of the United States, famed throughout the Nation for its integrity and its high standards of personnel and achievement.

I believe that my colleagues will be interested to know that there is a statewide Badger organization, of which Captain Wolke is the president, the Wisconsin Juvenile Officers' Association, dedicated to grassroots work against youthful crime.

I send to the desk the text of Captain Wolke's letter, and the forepart—the first three articles—of the organizational charter of that distinguished group.

I ask unanimous consent that this material be printed in the body of the RECORD at this point.

I earnestly hope that other States throughout the Nation will follow the splendid example of the Wisconsin Juvenile Officers' Association.



There being no objection, the matters were ordered to be printed in the RECORD, as follows:

**CITY OF MILWAUKEE,**

**DEPARTMENT OF POLICE,**

Milwaukee, Wis., February 7, 1955.

Hon. ALEXANDER WILEY,

United States Senator From Wisconsin,  
Washington, D. C.

DEAR SENATOR WILEY: As president of the Wisconsin Juvenile Officers' Association, may I take this opportunity of expressing our most appreciative thanks and pleasure in commending you for your decisive stand and introduction of the proposed resolution calling for grants-in-aid to States conducting tried and tested youth-welfare programs.

We in Wisconsin can be proud of the numerous projects that concern the needs of our children, and we are grateful to you particularly and to the other representatives of this fine State in the Nation's Capital, who are constantly striving to better the condition not only of their own State, but, also, that of the other 47 States which make up this wonderful land of freedom, hope, and inspiration.

Enclosed please find a copy of our organizational charter explaining our functions and purposes. May we also insure our continued cooperation and support in all your endeavors where we as individuals or as an organization can be of some assistance.

Our sincerest thanks again for your profound concern and interest in the welfare of our future citizens and kindest personal regards from your many friends in Wisconsin, I remain,

Respectfully yours,

Capt. MICHAEL S. WOLKE,  
Director, Youth Aid Bureau.

**CONSTITUTION OF THE WISCONSIN STATE  
JUVENILE OFFICERS ASSOCIATION**

**ARTICLE I**

Name: The name of this organization shall be the Wisconsin State Juvenile Officers Association.

**ARTICLE II**

Objectives: The objectives of this association are:

1. To encourage active participation in all matters that have to do with youth and youth's problems as they pertain to the field of law enforcement.
2. To uphold the principles of good government.
3. To assist in every honorable way the furthering of the interests of its members and to bring about better understanding, not only of those engaged in the work, but with the various youth agencies with whom we have contact.
4. To recognize and teach that organization, cooperation, and reciprocity are better than rivalry, strife, and destructive competition.
5. To cooperate with all youth organizations, both governmental and lay, which have a common interest in youth and the public's welfare.
6. To encourage the application of the highest ethical standard of our profession, and to endeavor by the exchange of methods and ideas to increase our efficiency within our respective organization.
7. To concern ourselves with legislative programs and contemplated legislation which in our opinion would affect the welfare of the youth of the State of Wisconsin.
8. To afford full protection to all law-abiding citizens of this State and to the end that the juvenile's best interests will be served.

**ARTICLE III**

Membership: Membership in this organization shall be open to all law-enforcement officers who are or will be working specifically with juveniles.

Voting membership shall be limited to those who are members of a bona fide law-enforcement agency and assigned, full or part time, to juvenile activities. Voting membership may be retained by members of law-enforcement agencies who have been reassigned to other duties.

**CONFERENCE ON INTER-AMERICAN  
INVESTMENT IN NEW ORLEANS**

Mr. WILEY. Mr. President, later this month a conference of outstanding significance to the Western Hemisphere will be held in New Orleans. I refer to the Inter-American Investment Conference from February 28-March 3, cosponsored by Time-Life International and by the city of New Orleans, and conducted with the cooperation of numerous outstanding organizations.

The purpose of this conference is to fulfill the goals set forth so ably by the International Development Advisory Board—goals which had been cited, too, by our own and other diplomats and economic experts of the Western Hemisphere at the Inter-American Conference held last December in Brazil.

For this New Orleans conference, an outstanding assembly of financial leaders of the hemisphere will be on hand.

I send to the desk a statement which I have prepared on it, and I ask unanimous consent that the statement and appended material be printed in the body of the RECORD at this point.

There being no objection, the statement and appended material were ordered to be printed in the RECORD, as follows:

**STATEMENT BY SENATOR WILEY**

It has been my pleasure to be in close touch with Mr. Rudolph S. Hecht, chairman of the New Orleans conference committee, and Mr. Edgar Baker, managing director of Time-Life International, with regard to this very important conference.

Mr. Baker in a letter to me yesterday advised me of the splendid progress in the conference's advance work. I may say that the names of the distinguished Americans whom he mentioned will contribute to the conference, underline the outstanding caliber of this meeting. The conference's importance is recognized at the highest level of the United States Government, as evidenced by the fact that President Dwight D. Eisenhower will deliver a closed-circuit telecast address to the conference.

I believe that the text of Mr. Baker's letter will be of interest to my colleagues. Here it is:

TIME-LIFE INTERNATIONAL,  
New York, February 8, 1955.

The Honorable ALEXANDER WILEY,  
The United States Senate,

Washington, D. C.

DEAR SENATOR WILEY: Because you have shown such great interest and have been of so much encouragement to us with regard to the Inter-American Investment Conference, I wanted to write you again to tell you of the progress of our plans. With acceptance of invitations running in excess of 90 percent, we now expect more than 250 top-ranking Latin-American businessmen from 19 countries and the British and Dutch Caribbean territories. We are also assured of at least 200 from the United States, drawn largely from top-management levels reflecting a broad cross section of United States industry and finance.

The Conference's 3½-day program will include addresses by the President speaking over a closed-circuit telecast from the White

House; Eugene Black, president of the International Bank; Gen. Glen Edgerton, president of the Export-Import Bank; Dr. Milton Eisenhower, president of Pennsylvania State College; Peter Grace, president of W. R. Grace and Co.; Walker Cislser, president of Detroit Edison; Eric Johnston, chairman of the International Development Advisory Board; and Henry R. Luce, editor in chief of Time, Inc. Latin-American speakers and panel members include Carlos Dávila, Secretary General of the Organization of American States; Eduardo Suarez, of Mexico; Eugenio Mendoza of Venezuela; Martin del Corral, of Colombia; Burke Hedges, of Cuba; and Antonio Aycaenena, of Guatemala. The United States business community in Latin America will be represented on the program by Walter Donnelly and Gen. William Draper.

I would greatly appreciate receiving any comments or suggestions which you may have for enhancing the success of the Conference.

Very truly yours,

EDGAR R. BAKER,  
Managing Director.

**EXPANSION OF ECONOMIC ACTIVITIES**

For many years, it has been universally recognized that additional private American investment is needed in Latin America. Already, Latin America is our greatest single field of direct foreign overseas investment. It is our greatest single supplier of raw materials. It is our best single customer.

Latin America's population is expanding; its needs are increasing.

Today, its production aggregates \$10 billion a year in goods and services. This amount is increasing rapidly.

More and more American companies are investing in Latin America. The International Bank for Reconstruction and Development and the Export-Import Bank are both playing an exceedingly important role, as is private American capital, especially through our great private banking system.

Yet, it is only realistic to point out that problem after problem arises in connection with the much-needed vast expansion of private Latin-American investments. I refer to such problems as some nations' overly restrictive laws and regulations on foreign investments as well as the problems on inconvertibility of currency.

Again and again, private businessmen have come to my office indicating that, much as they would like to invest in Latin America, there are certain common problems which they face which must first be resolved.

How to resolve these problems to the mutual satisfaction of American capital and to the satisfaction of the Latin-American nations, their sovereign governments and their peoples, is a matter requiring close and continuing cooperation.

There is no obstacle, however, which is insuperable, and the tremendous economic expansion in recent years confirms that fact.

Of course, the burden of future action does not rest upon our Latin American friends alone. There are many things which we must do jointly, as well as individually. Thus, we must work out an improved system of bilateral treaties so as to eliminate double taxation.

Here in our Congress, we should act upon the administration's recommendation for lighter taxation on earnings from overseas investments.

This could mean, for example, a reduction of the corporate income rate by 14 points on foreign investments.

But even if these and other steps are taken, as we believe they will and should be, still, strengthening of American investment is not going to come about overnight. It is not going to be achieved with a magic wand, and the able group of leaders who will be assembling at New Orleans fully realizes that fact.

## SPLENDID WORK OF IDAB

Few more important long-range guideposts to the future have been set forth than are contained in the report of the International Development Advisory Board filed in Washington on September 1954, by Mr. Eric Johnston, Chairman, with the Honorable Harold Stassen, Director of the Foreign Operations Administration.

This International Development Advisory Board has rendered great service to the cause of prosperity in the hemisphere by its comprehensive program for the encouragement of investment of capital. It has given us a clear picture of the problems in terms of diversifying Latin American agriculture and industry, strengthening its transportation, its power, and its fuel. The Board has stressed the importance of balance in development and the importance of stability in development. The Board is truly to be complimented for its splendid work.

## SENATOR WILEY'S INTEREST IN LATIN AMERICA

For a long time, I have personally been deeply interested in Latin America. I have been interested in my capacity as chairman of the Senate Foreign Relations Committee in 1953 and 1954. In that capacity, I was privileged to serve as a delegate at the Rio Conference. Here at home it has been my pleasure on many occasions to consult with the able Assistant Secretary of State for Latin American Affairs, the Honorable Henry Holland. I had noted with pleasure to fine work performed by our Consultative Subcommittee on Latin American Affairs, headed by the Honorable BOURKE HICKENLOOPER, of Iowa.

During my term as chairman, an important report on Latin America was made by my colleague, the Honorable THEODORE FRANCIS GREEN, of Rhode Island, based on a tour which he had made at the request of Senator HICKENLOOPER. Similarly deep interest in inter-American affairs has been demonstrated by our other subcommittee colleague, the Honorable JOHN SPARKMAN, of Alabama.

Two members of our committee staff had toured Latin America: Mr. Pat Holt, consultant, had accompanied Senator GREEN. Mr. Julius H. Cahn, counsel, had, at my direction, made a study on the scene throughout the Caribbean and in parts of South America for the purpose of analyzing both the problem of communism (particularly under the previous Red-dominated regime of Colonel Arbenz in Guatemala) as well as on overall economic problems in the area. His studies have been kept up to date at my request, especially on this United States investment phase.

Now, as ranking Republican member, I know that my interest in Latin America is shared by my distinguished successor as chairman of the full committee, the Honorable WALTER F. GEORGE, of Georgia.

I want to say, too, that I have been interested in this subject as an individual United States Senator representing a great State—Wisconsin—which conducts a tremendous amount of business with many countries in the hemisphere. That business—and business everywhere in our land—will be stimulated by the New Orleans conference.

## WELCOME TO OUR VISITORS

Now, I want to welcome to the conference the distinguished array of citizens and public officials from Hispano America who will shortly be arriving in our land.

They and we know that this will be a working conference. It is aimed at results. It is going to get down to cases, and it is, I trust going to constitute a milestone of achievement in this important field.

And, so, I wish it every success.

This is private enterprise at work. It is Pan-Americanism at its finest.

Latin America today is undoubtedly the greatest single economic frontier in our

world. Great opportunities lie before the peoples of the hemisphere. Tremendous rises in standards of living are in store for the various nations.

The people of the United States extend good will to our friends to the South, and we know it is reciprocated.

We look for that favorable economic climate in which American investors can make the most significant possible contribution to Latin American growth.

## DATA FROM CONFERENCE BOOKLET

Fortunately, the New Orleans Conference is getting under way with the finest type of auspices. I believe that perhaps the best illustration of that is contained in a booklet on the conference which lists the sponsors and hosts, the cooperating organizations, and the cosponsoring organizations.

I am pleased to append this material at this point:

## AUSPICES

"An imposing group of business and other organizations both in the United States and in Latin America are actively supporting the conference, indicating the widespread interest of the business communities of both continents. As of December 7, 1954, the list of sponsoring and cooperating organizations was as follows:

## Sponsors and hosts

The city of New Orleans: International House, International Trade Mart, Chamber of Commerce of the New Orleans Area, Port of New Orleans, New Orleans Board of Trade, Green Coffee Association.

Time-Life International: Publishers of Time, Latin American edition, and Life en Español.

## Cooperating organizations

Chamber of Commerce of the United States.

Investment Bankers Association of America.

National Association of Manufacturers.

United States Inter-American Council.

United States Council of the International Chamber of Commerce, Inc.

Organization of American States.

International Development Advisory Board.

## Latin American cosponsoring organizations

Argentina: Confederación General Económica de la República Argentina, Confederación General de Comerciantes.

Bolivia: Cámara Nacional de Industrias, Cámara Nacional de Minería, Santa Cruz Agricultural and Industrial Organization; banking group: Banco Central de Bolivia, Crédito Hipotecario de Bolivia, Banco Nacional de Bolivia, Banco Mercantil, Banco Popular Colombo-Boliviano, Banco Popular del Perú in Bolivia.

Brazil: Centro das Indústrias do Estado do Rio Grande do Sul, Federação das Associações Rurais do Rio Grande do Sul, Federação das Associações Comerciais do Rio Grande do Sul, Banco de Curitiba, Federação das Indústrias do Estado de São Paulo (FIESP), Centro das Indústrias do Estado de São Paulo (CIESP), Sociedade Rural Brasileira, Federação do Comércio do Estado de São Paulo, Confederação Nacional da Indústria, Confederação Nacional do Comércio, Federação das Indústrias do Rio de Janeiro.

Chile: Comité Interamericano de Inversiones.

Colombia: ANDI—Asociación Nacional de Industriales, Asociación Bancaria, ACOPI—Asociación Colombiana de Pequeños Industriales.

Costa Rica: Cámara de Industrias, Banco de Costa Rica, Cámara de Agricultura, Junta de la Caña.

Cuba: Asociación Nacional de Industriales de Cuba, Cámara de Comercio de la República de Cuba, American Chamber of Commerce of Cuba, Asociación de Bancos de Cuba, Asocia-

ción de Colonos de Cuba, Asociación Nacional de Hacendados de Cuba.

Dominican Republic: Cámara Oficial de Comercio, Agricultura e Industria del Distrito de Santo Domingo.

Ecuador: Cámara de Industrias de Pichincha, Cámara de Industrias (Guayaquil), Cámara de Agricultura de la Segunda Zona, Banks of Guayaquil, Cámara de Comercio de Guayaquil.

El Salvador: Cámara de Comercio e Industria de El Salvador.

Guatemala: Cámara de Comercio e Industria de Guatemala, Asociación General de Agricultores, Bancos de Guatemala.

Honduras: Cámara de Comercio e Industrias de Tegucigalpa.

Mexico: Secretariado Mexicano de Relaciones Internacionales de la Iniciativa Privada, representing Asociación de Banqueros de México, Confederación de Cámaras Industriales, Confederación de Cámaras Nacionales de Comercio, Cámara de Comercio de Monterrey.

Nicaragua: Comité para Inversión de Capital Privado in Nicaragua, representing, Cámara de Comercio e Industrias, Cooperativa Nacional de Agricultores, Sociedad Cooperativa Anónima de Cafetaleros de Nicaragua, Banks.

Panamá: Cámara de Comercio, Industria y Agricultura de Panamá; Sindicato de Industriales de Panamá; Instituto de Fomento Económico; Zona Franca de Colón.

Paraguay: FEPRINCO (Federación de la Producción, la Industria y el Comercio).

Peru: Cámara de Comercio; Cámara de Industrias; Sociedad Nacional Agraria; Sociedad Nacional de Minería y Petróleo; Banco de Crédito del Perú; Banco Wiese, Ltda.; Banco Popular; Banco Internacional del Perú.

Surinam: Commissie Voor Internationale Investeren in het Westelijk Halfrond.

Uruguay: Comité Interamericano de Inversiones.

Venezuela: Federación Venezolana de Cámaras y Asociaciones de Comercio y Producción, American Chamber of Commerce in Venezuela.

## THE CURRENT CAMPAIGN TO AMEND THE NATURAL GAS ACT

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the body of the RECORD three items relating to the current campaign to amend the Natural Gas Act. The first is an article from the Wall Street Journal of January 12, 1955, entitled "Gas Producers Enlist Consumers in Battle Against FPC Control."

The second is a resolution and committee explanation adopted at the last annual meeting of the National Institute of Municipal Law Officers.

The third is an article by the thoughtful columnist, Thomas L. Stokes, from the Washington Evening Star for February 5, 1955.

Mr. President, I fear that the \$1,500,000 propaganda drive reported in the Wall Street Journal is a tipoff to one of the principal attacks on consumer interests that may be made in this Congress. The lavish display advertisements appearing in many newspapers a few days ago confirm this report.

I am requesting that this material be inserted in the RECORD for the fuller information of Members of Congress on the nature of this serious danger. At the same time it should be encouraging to note the forthright resolution and committee explanation opposing any



weakening of the Natural Gas Act overwhelmingly passed by the National Institute of Municipal Law Officers which has consistently fought for the consumers against this legislation which would cost them so many hundreds of millions of dollars.

There being no objection, the articles and the resolution were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal of January 12, 1955]

**GAS PRODUCERS ENLIST CONSUMERS IN BATTLE AGAINST FPC CONTROL—INDUSTRY MOBILIZES GIANT LOBBY TO BACK LEGISLATION TO UPSET PHILLIPS PETROLEUM DECISION**  
(By Harlan Byrne)

HOUSTON.—Some 21 million natural gas users and other millions of potential customers are about to be enrolled in a giant lobby.

The oil and gas industry this month will kick off a king-sized publicity campaign with this goal: To gain consumer support for legislation coming up in Congress this session to free gas producers from Federal control decreed by the United States Supreme Court last June.

The industry's educational story will be told and retold in newspapers ads, feature stories, editorials; on radio and TV programs, at conventions and civic club meetings. The initial costs of bringing the message to the people may run up to \$1,500,000, industry officials estimate.

In addition, literally thousands of oil and gas workers will give part-time service in carrying the gospel—through publicity work, speech making, and personal contacts.

**INDUSTRY'S MESSAGE**

To win the tough tussle, oil and gas industry leaders believe they must convince consumers that an assured future supply of the fuel can be guaranteed only by competitive, unregulated production.

The job of wooing consumers falls to the Natural Gas and Oil Resources Committee, an industry group formed last October. The committee is headed by L. F. McCollum, president of Continental Oil Co., and Paul Kayser, president of El Paso Natural Gas Co.

"We would be naive to be too optimistic of our chances of getting favorable legislation this year," says Mr. McCollum. "I don't believe there's any question we can get the average consumer to see our side, but right now the time element is a terrific handicap."

Privately, other oil and gas company executives say chances are better than even that Congress this year will amend the Natural Gas Act of 1938 to exempt producers from regulation by the Federal Power Commission. Principal opposition is expected from Congressmen of consuming States, especially the Midwest and East.

State and city officials of Wisconsin, Missouri, and Michigan pressed the Phillips case to a Supreme Court decision. Officials from those consuming areas argued that control of producers' prices was needed to protect gas users from continuing rate boosts. The Supreme Court ruled that producers' sales of gas in interstate commerce are subject to regulation of the Federal Power Commission.

**PUBLIC RELATIONS PROGRAM**

Mr. McCollum's group then lost no time. A national headquarters was set up in New York City, to be run by Baird H. Markham, a veteran official of the American Petroleum Institute. The committee hired Hill & Knowlton, Inc., as public relations consultant. A number of gas producing companies, too, put their own public relations people at the full-time disposal of Mr. Markham.

His staff has drawn up an elaborate plan of action, reaching down through regional and State committees and individual companies.

"This is the most extensive and best co-ordinated program I've ever seen the industry undertake," says one oil-company official close to behind-scenes activity.

While all oil- and gas-industry groups, generally speaking, are giving lip service to the cause, producing companies are financing most of the McCollum committee's work.

Oil companies are the biggest contributors since they, too, are the big producers of gas. Oil firms also fear Federal control of gas production will lead eventually to regulation of oil output and prices.

In many instances, oil and gas are produced from the same wells, and oilmen believe it's hard to separate the two, economically. Interstate pipelines and local gas distributing firms around the country are sympathetic to the producers' drive for legislation, but for the most part they've stayed on the sidelines so far.

**OTHER COMMITTEES AT WORK**

Besides Mr. McCollum's group, other industry committees are busily at work. There's a general gas committee headed by Maston Nixon, president of Southern Minerals Corp., of Corpus Cristi.

His committee has subcommittees that are drumming up support from Congressmen and seeking the backing of other industry groups, including their competitors, the coal producers. Gas people argue that if their commodity is controlled at the producing level, the same thing may happen to coal later.

Beginning next Monday, the McCollum group will launch a full-blown campaign with a nationwide series of ads in newspapers of more than 1,500 circulation. Advertising will be heaviest in key consuming areas of the Midwest and East.

Newspapers, magazines, trade papers and radio and TV stations will soon be bombarded with feature stories—and even suggested editorials—pleading the gas producers' case.

Already McCollum committee members have called on more than 100 editors and publishers of metropolitan papers, asking their support. A number of big dailies are said to be unsympathetic.

A film on the natural-gas industry is being prepared for use by TV stations. Oil and gas people will be seeking appearances on radio and TV quiz-panel shows. National headquarters is setting up a speakers' bureau for talks at conventions and club meetings.

"We're not asking industry leaders to speak; we're drafting them," says Mr. McCollum.

Producers have been called on to throw their own public relations staffs into the fight. They'll contact local civic groups, such as the Veterans of Foreign Wars, Rotary, American Legion, chambers of commerce, and women's clubs, asking for an audience.

**CONSUMER SUPPORT**

Companies are urged to send letters to employees and stockholders, enlisting their help in winning consumer support. Phillips Petroleum Co. and Continental, for example, already have followed through with pamphlets and copies of speeches, mailed out with dividend checks.

Several firms have mailed letters to supervisory employees urging them to contact friends and explain the gas industry's position. They're asked to tell the natural gas story in understandable terms, not industry jargon.

In key cities, monitoring teams will be reading newspapers and checking radio and TV programs regularly, on the lookout for adverse publicity. They'll seek to correct

misinformation by quickly calling it to the attention of the paper or the station. Letters to the editor columns also will be used.

There was a time, before World War II, when natural gas was pretty much an unwanted commodity. Its use was confined to a handful of Western States outside the traditionally big producing and consuming areas of the Southwest, which now supply about 90 percent of total output.

With improvements in pipeline technology and a sharp climb in oil and coal prices right after the war, a great clamor arose for cheap gas from the Southwest. A dozen or so pipelines since then have been built to supply faraway areas with gas.

Sales of natural gas have more than doubled since World War II, and now total around 9 trillion cubic feet annually. Natural gas supplies almost one-fourth to the Nation's energy requirements, compared with a little over one-tenth in 1940.

The number of natural gas customers has more than doubled. And several hundred thousand customers right now are on waiting lists for service.

Discovery of underground reserves of gas has not kept pace with consumption. While sales have more than doubled since the war, reserves have increased only about one-third—from 160 trillion cubic feet in 1946 to 211 trillion at the end of 1953.

**RESOLUTIONS ADOPTED BY THE NATIONAL INSTITUTE OF MUNICIPAL LAW OFFICERS, SAN FRANCISCO MEETING, SEPTEMBER 1954**

**RESOLUTION OPPOSING WEAKENING OF FEDERAL POWER COMMISSION JURISDICTION**

Whereas the primary purpose of the Congress in adopting the Natural Gas Act of 1938 was to protect consumers from exploitation by suppliers of natural gas, while at the same time assuring the suppliers of a fair and reasonable price for their product; and

Whereas the means whereby the Congress accomplished this purpose was to confer jurisdiction upon the FPC to fix reasonable rates for sales of natural gas in interstate commerce for resale to consumers; and

Whereas NIMLO has since the adoption of this act taken the clear and consistent position that this purpose of the Congress should be carried out and that the jurisdiction of the Federal Power Commission thus conferred should remain unimpaired: Now, therefore, be it

*Resolved*, That NIMLO hereby reaffirms its prior position and opposes the enactment of Federal legislation which would weaken or impair the jurisdiction and functioning of the Federal Power Commission under the Natural Gas Act as now written; and be it further

*Resolved*, That a copy of this resolution be forwarded to the Cabinet Committee on Energy, Supplies, and Resources Policy which is now considering the natural resources.

**RESOLUTIONS COMMITTEE EXPLANATION**

This subject was the only one upon which there was controversy at the open hearing conducted by your committee. Your committee was urged to recommend no action upon this subject until a newly created Cabinet Committee has completed a study of natural resources and reported, with NIMLO appointing a committee thereafter to recommend a position for this organization. We were also urged to recommend that NIMLO adhere to and reaffirm the prior position consistently taken by NIMLO since adoption of the Natural Gas Act of 1938 that this act should be carried out as originally written.

It was suggested that two States, Kansas and Oklahoma, prescribe minimum prices for intrastate sales of natural gas at the wellhead whereas the FPC only passes upon the reasonableness of maximum prices of sales in interstate commerce for resale and

that some conflict in Federal and State jurisdiction exists in reaffirming NIMLO's prior position taken not only in resolution but in the brief amicus curiae filed in the United States Supreme Court in the recently decided Phillips case. Your committee fails to find such conflict and notes that such conflict was urged upon the Supreme Court of the United States in the Phillips case and found to be nonexistent. In fact, your committee is impressed with the fact that since the States are constitutionally unable to control the reasonableness of sales in interstate commerce no conflict with FPC jurisdiction can arise. And no producing State fixes maximum prices for natural gas for the protection of consumers. They fix only minimum prices to protect producers.

Upon checking with NIMLO's staff, your committee was informed that while a copy was mailed to each one of NIMLO's 881 member municipalities of the brief amicus curiae filed in the Phillips case, not 1 member wrote in protest against or in disagreement with the position taken therein; that is, the position urged in the foregoing resolution.

Under these circumstances your committee finds no reason whatever to depart from the prior position of NIMLO on this matter. The proponents of a change of position frankly informed your committee that legislation to remove FPC jurisdiction to pass upon the reasonableness of rates charged by Phillips Petroleum Co. for sales in interstate commerce is certain to be introduced in Congress in January. NIMLO has not wavered down through the years in opposing such legislation, and no valid reason was advanced to your committee why NIMLO should change its position now. We were urged to recommend a change in NIMLO's position to one of "no position," and that we cannot do when no valid reasons were presented for such action.

Your committee was also informed that unless the Natural Gas Act is amended so as to nullify the decision in the Phillips case, the suppliers of natural gas would not sell their gas in interstate commerce, thus depriving thousands of users of this commodity and making the price higher because pipelines will not operate at full capacity. This argument in the nature of a threat by oil companies to deny themselves profitable interstate markets is one to which your committee cannot give credence. The FPC requires reserves to be dedicated for the use of each pipeline before the line can be constructed. The millions in cities who have changed over to the use of natural gas should not thus suddenly find their supply cut off due to this Supreme Court decision against Phillips Petroleum Co.

In NIMLO's brief amicus curiae it was pointed out that some 40 million consumers are now dependent upon natural gas. Nearly every large city—and many of the smaller cities—now have pipelines bringing this valuable commodity to them. Your committee is impressed by the argument urged upon it that we as city attorneys represent not oil companies but the consumers who reside in our cities. To here adopt the position of Phillips Petroleum Co., and depart from our representation of the consumers who pay us to represent their interests seems wholly inconsistent. We who represent consumers cannot be in the position of urging higher prices for consumers of natural gas. In the Phillips case the Supreme Court noted that a scuttling of FPC jurisdiction meant an increase in price for these consumers—an increase estimated from authoritative sources in NIMLO's amicus curiae brief there at \$200 million per year. Action to support such a result your committee cannot recommend.

Consistent with our position as a representative of the consumers who reside within municipal corporate limits, your committee, therefore, recommends that NIMLO reaffirm its prior position in this matter.

[From the Washington Evening Star of February 5, 1955]

**THE CRUSADE TO CAPTURE FPC—OIL AND GAS INDUSTRY, WITH LONG STRING OF VICTORIES, PLANS NEW FIGHT TO PUT THE "BITE" ON CONSUMER**

(By Thomas L. Stokes)

The pocketbook nerve, when pinched, eventually reacts. The screech often is echoed here.

That explains the outburst here from Representative SIDNEY YATES, Democrat, of Illinois. He echoed a complaint from constituents back home about an increase in natural-gas prices that will cost nearly a million and a half consumers of Chicago and 17 northern Illinois counties some \$5,216,000. The Peoples Gas & Light Co., which was allowed the increase, blamed it on higher prices it must pay for natural gas.

Mr. YATES, in turn, traced the higher prices for natural gas to a decision several months ago by the Federal Power Commission here, the now-famous Panhandle Eastern Pipeline case, which changed the basis for ratemaking from cost of production to fair field price. The Illinois Congressman introduced a bill in the House to change the rate base back to actual legitimate cost.

What is happening in Mr. YATES' constituency, and what is happening similarly elsewhere, should not be surprising. Such increases were forecast at the time of the decision by Senator PAUL DOUGLAS, Democrat, of Illinois, among others, who predicted price increases of several million dollars in Chicago and northern Illinois in a Senate speech nearly a year ago, in March 1954.

We may expect a rising crescendo of protests from consumers all over as they get the "bite" and "the business."

This is perhaps lucky. For once alert, maybe consumers will get on to another project which big oil and affiliated natural-gas interests are about to spring and try to get through Congress. This will add still more to the higher costs already caused by the Panhandle Eastern Pipeline decision.

Behind this project is the biggest propaganda campaign of its sort—and one of the most expensive—seen by this city or the country since that of the electric utilities several years ago trying to avoid regulation of abuses turned up during investigations of the Hoover and Roosevelt administrations.

The objective is enactment of a bill to repeal a recent Supreme Court decision in the long-drawn-out Phillips Petroleum case. In its decision, the Court ruled that the Federal Power Commission must include natural-gas producers and gatherers in investigations and calculations relative to fixing rates.

The proposed bill would exempt producers and thus prevent the FPC from getting all the necessary facts for decisions and weaken it as a regulatory agency. In the Phillips case, the FPC tried to free itself of such authority over producers; but the Supreme Court held it must embrace them. The proposed bill would do what was the aim of the Kerr bill passed by the Republican 80th Congress, but killed by President Truman's veto.

The prime movers in this new drive to break down the FPC's regulatory authority are, of course, the big oil companies that own the bulk of natural-gas reserves. They are following a pattern which is becoming almost too familiar here for the public good. That is, if you are overruled by the Supreme Court, then you go to Congress and get a law passed to overrule the Supreme Court. Oil did that, you will recall, in the case of the offshore oil lands, getting Congress to hand them over to the States, after the Supreme Court had ruled they belonged to the Federal Government and the people.

The new oil-natural gas drive to tear down Federal regulation is directed at the consumer in an attempt to prove that removal of regulation and return to competitive con-

ditions will help the consumer rather than hurt him. That was not the belief at all among over 500 city officials who gathered in San Francisco at the annual convention last September of the National Institute of Municipal Law Officers and got the first taste of the new drive to break down regulation which we have seen flower so luxuriantly since. Oil interests engineered a drive to get through that meeting a resolution endorsing the FPC's original attitude that it should exempt producers as exemplified in its Phillips case decision. City officials were not only contacted at home before they went to the convention, but were high-pressured there over long-distance telephone and otherwise in what one of them, James H. Lee, assistant corporation counsel of Detroit, branded "flagrant, unethical procedure." The resolution was overwhelmingly defeated, with only a few votes for it.

But that did not deter the oil and gas people. Where the propaganda campaign has reached now is indicated by a recent dispatch to the Wall Street Journal from Houston, saying industry officials estimated a million and a half dollars would be spent initially, of which oil would be the biggest contributor. Various advertising media are being used, newspapers, magazines, radio, television, moving pictures. From national headquarters in New York the campaign is organized down through the States almost literally to the precinct.

They have even set up monitoring teams to read newspapers and check radio and television programs for any hint of adverse publicity so that they can send missionaries around to talk to any offender and set him straight about their crusade.

The PRESIDENT pro tempore. Morning business is concluded.

**EDUCATIONAL BENEFITS FOR PERSONS SERVING IN THE ARMED SERVICES**

Mr. CLEMENTS. Mr. President, I move that the Senate proceed to the consideration of House bill 587, Calendar No. 27.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 587) to provide that persons serving in the Armed Forces on January 31, 1955, may continue to accrue educational benefits under the Veterans' Readjustment Assistance Act of 1952, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Kentucky [Mr. CLEMENTS].

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. LEHMAN. Mr. President, as Members of this body know, the President issued a proclamation on January 1 terminating the Korean war emergency, so far as it affects veterans' benefits, as of January 31, 1955. Immediately, Members of Congress were made aware of the fact that this proclamation, taken under authority granted to the President by Public Law 550 of the 82d Congress, commonly called the Korean GI bill, ended the accumulation of any additional education and training time under Public Law 550 for those already in the Armed Forces.

H. R. 587 insures the full educational entitlement under Public Law 550 to members of the Armed Forces who were



on active duty on or before January 31 of this year. It provides that such an individual may continue to accrue entitlement to education at a rate specified in the law until his first discharge or until the maximum of 36 months entitlement is accrued. It further amends the law to provide an overall delimiting date of January 31, 1965, so as to permit an individual who has entered the service in January of this year on a 4-year enlistment to complete his enlistment and have 6 years in which to complete his educational program.

Many young Americans entered the Armed Forces during the past year or more with the understanding that they would have full entitlement to all war-time benefits. By enacting this bill Congress will be keeping faith with thousands of young men and women who enlisted prior to the effective date of the President's proclamation.

H. R. 587 passed the House on January 27 by a vote of 366 to 0. The Senate Committee on Labor and Public Welfare held a hearing on the bill, receiving the views of the Veterans' Administration, the American Legion, the Veterans of Foreign Wars, and Chairman OLIN TEAGUE of the House Veterans' Affairs Committee, all in favor of passage of the bill. The Senate committee has unanimously reported the bill without amendment; and, speaking for the committee, I hope that it will be speedily enacted.

The PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 587) was ordered to a third reading, read the third time, and passed.

#### INVITATION TO HOLD 1960 OLYMPIC GAMES AT DETROIT, MICH.

Mr. CLEMENTS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 28, Senate Joint Resolution 14.

The PRESIDING OFFICER (Mr. BARKLEY in the chair). The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (S. J. Res. 14) extending an invitation to the International Olympic Committee to hold the 1960 Olympic games at Detroit, Mich.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Kentucky.

The motion was agreed to; and the Senate proceeded to consider the joint resolution.

Mr. POTTER. Mr. President, the pending joint resolution, Senate Joint Resolution 14, is non-controversial. The United States Olympic Association appointed a committee to select a site in the United States best suited for the Olympic games of 1960, and the committee selected Detroit. The invitation to hold the games at Detroit, which has been unanimously endorsed by the United States Olympic Association, will have to be extended to the International Olympic Committee this spring.

I ask favorable consideration of the joint resolution.

The PRESIDING OFFICER. The joint resolution is before the Senate. If there be no amendment to be offered, the question is on the engrossment and third reading of the joint resolution.

The joint resolution (S. J. Res. 14) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Resolved*, That whereas the United States Olympic Association will invite the International Olympic Committee to hold the Olympic games in the United States at Detroit, Mich., in 1960, the Government of the United States joins in the invitation of the United States Olympic Association to the International Olympic Committee to hold the 1960 Olympic games in the United States at Detroit, Mich.; and expresses the sincere hope that the United States will be selected as the site for this great enterprise in international good will.

Sec. 2. The Secretary of State is directed to transmit a copy of this joint resolution to the International Olympic Committee.

#### THE PROPOSED RECLASSIFICATION OF POSTAL EMPLOYEES

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article appearing in yesterday's edition of the Washington Daily News.

This article is entitled "Job Racket Exposed" and was written by John Cramer, Washington's very able civil-service reporter.

The Senate Committee on Post Office and Civil Service is currently holding hearings on proposed legislation to increase the pay of postal employees and the administration's proposal to reclassify all jobs in the Post Office Department.

Mr. Cramer, by drawing attention to remarks made by Mr. Hallbeck, legislative representative, National Federation of Post Office Clerks, has very ably pointed out some of the many inconsistencies in this proposal.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

##### JOB RACKET EXPOSED

(By John Cramer)

The often-phony Government job-classification racket got itself caught bare naked yesterday—and, just as you suspected, it has bow legs and wears falsies.

The catching came at the expense of embarrassed Post Office Department job classifiers, who were revealed to the amused scrutiny of the House Post Office and Civil Service Committee with their job descriptions at half-mast.

It was accomplished by E. C. Hallbeck, legislative representative of the National Federation of Post Office Clerks.

He exposed the Department's classifiers in a typical classifiers' fraud—inflating the description of some jobs to justify higher grades for them and deflating others to justify lower grades.

Post Office Department is trying to sell Congress a new classification plan for the postal field service.

In testimony yesterday, Mr. Hallbeck gave the House committee these examples of how

the Department's classifiers had inflated some descriptions and deflated others:

Example 1: Here Mr. H. took the Department's official job description for clerks in medium third-class post offices and compared it with the job description for postmasters in smallest third-class offices. These latter offices have no employees. The postmaster is the entire staff.

Obviously, such a postmaster performs all the duties performed by a clerk in a slightly larger office, and more, too.

The clerk, however, is destined for lowly grade 2 in the Department's new pay ladder. So in describing his duties the Department used these words:

"1. Sorts incoming mail for general delivery, lock boxes, and one or more delivery routes.

"2. Postmarks and prepares mail for dispatch by train or other mail route; closes, locks, and affixes labels to pouches and mail sacks.

"Performs services at public windows, such as selling stamps, stamped envelopes, or other routine functions."

##### THE OTHER WAY

These identical duties apparently become much more important when performed by postmasters in one-man offices—perhaps because the postmasters are destined for grade 5 in the new salary scale.

The postmaster job description reads this way:

"1. Conducts the activities of the office in such a manner as to provide prompt and efficient postal service to the patrons of the office.

"2. Maintains direct contact with the public and gives personal attention to complaints.

"3. Sorts incoming mail for boxholders and general delivery; faces, cancels, sorts by destinations, ties, and sacks outgoing mail.

"4. At a window delivers general-delivery mail, issues and cashes money orders, delivers c. o. d. and customs mail, accepts and delivers parcel post, registered and insured mail, sells stamps and stamped paper, and collects box rents."

Example 2: In the Department's new plan special-delivery messengers will be upgraded to bring their pay up to the level of rank-and-file clerks.

Perhaps to help justify the upgrading, it's alleged in their job description that they "maintain pleasant and effective public relations with patrons."

But when it comes to postal window clerks, who have far more contact with the public than special-delivery messengers, there is no mention of "pleasant and effective public relations."

Example 3: Here Mr. H compared job descriptions for clerks in the Postal Transcript Service with those for distribution clerks in post offices.

The former would go into grade 5 of the new pay schedule. So in their job descriptions it was alleged that they "must qualify periodically through examination on knowledge of distributing schemes, postal regulations, train connections, etc."

Mr. Hallbeck told the committee the same duties are required of post-office distribution clerks, but aren't mentioned in their job descriptions.

Perhaps, he suggested, because the office clerks are destined for a mere grade 4 in the new pay schedule.

#### EXECUTIVE SESSION

Mr. CLEMENTS. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

## EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports were submitted:

By Mr. GEORGE, from the Committee on Foreign Relations:

Philip W. Bonsal, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Colombia, vice Rudolf E. Schoenfeld, resigned; and

Stephen P. Dorsey, of the District of Columbia, and sundry other persons for appointment in the foreign and diplomatic service.

Executive D, 83d Congress, 2d session, the convention between the United States of America and Japan for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on April 16, 1954; without amendment (Exec. Rept. No. 3);

Executive E, 83d Congress, 2d session, the convention between the United States of America and Japan for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on estates, inheritances, and gifts, signed at Washington on April 16, 1954; without amendment (Exec. Rept. No. 3); and

Executive G, 83d Congress, 2d session, the convention between the United States of America and Belgium for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on estates and successions, signed at Washington on May 27, 1954; without amendment (Exec. Rept. No. 3).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

Ernest Lee Murdock and Paul Nichiporuk, licensed officers of the United States merchant marine, for appointments in the United States Coast Guard.

John O. Boyer, to be Lieutenant commander in the Coast and Geodetic Survey;

George T. Moore, of Illinois, to be an Assistant Secretary of Commerce; and

Samuel Henson, Jr., and sundry other persons, to be chief warrant officers in the United States Coast Guard.

## RETURN TO THE PRESIDENT OF CONVENTION WITH CANADA ON GREAT LAKES FISHERIES

Mr. GEORGE. Mr. President, from the Committee on Foreign Relations, I report favorably an order, and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The order will be read for the information of the Senate.

The legislative clerk read, as follows:

That the Secretary of the Senate is directed to return to the President of the United States, as requested in his message to the Senate under date of January 26, 1955, the convention between the United States of America and Canada, for the development, protection, and conservation of the fisheries of the Great Lakes, signed at Washington on April 2, 1946, and received by the Senate on April 22, 1946 (S. Ex. C, 79th Cong., 2d sess.).

The PRESIDING OFFICER. Is there objection to the present consideration of the order?

There being no objection, the order was considered, and agreed to.

## MUTUAL DEFENSE TREATY WITH REPUBLIC OF CHINA—RESERVATIONS

Mr. MORSE (for himself, Mr. LEHMAN, and Mr. LANGER) submitted reservations, intended to be proposed by them, jointly, to the resolution of ratification of the Mutual Defense Treaty with the Republic of China, signed at Washington on December 2, 1954, which were ordered to lie on the table and to be printed.

The PRESIDING OFFICER (Mr. BARKLEY in the chair). If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

## PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the Public Health Service.

The PRESIDING OFFICER. Without objection, the nominations in the Public Health Service are confirmed en bloc.

Mr. CLEMENTS. Mr. President, I move that the President be notified of the nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

## MUTUAL DEFENSE TREATY WITH THE REPUBLIC OF CHINA

Mr. GEORGE. Mr. President, I move that the Senate proceed to the consideration of Executive A, the mutual defense treaty with the Republic of China.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the treaty (Ex. A, 84th Cong., 1st sess.), the mutual defense treaty between the United States of America and the Republic of China, signed at Washington on December 2, 1954, which was read the second time, as follows:

## MUTUAL DEFENSE TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF CHINA

The Parties to this Treaty,

Reaffirming their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all Governments, and desiring to strengthen the fabric of peace in the West Pacific Area,

Recalling with mutual pride the relationship which brought their two peoples together in a common bond of sympathy and mutual ideals to fight side by side against imperialist aggression during the last war,

Desiring to declare publicly and formally their sense of unity and their common determination to defend themselves against external armed attack, so that no potential aggressor could be under the illusion that either of them stands alone in the West Pacific Area, and

Desiring further to strengthen their present efforts for collective defense for the preservation of peace and security pending the development of a more comprehensive system of regional security in the West Pacific Area,

Have agreed as follows:

## ARTICLE I

The Parties undertake, as set forth in the Charter of the United Nations, to settle any

international dispute in which they may be involved by peaceful means in such a manner that international peace, security and justice are not endangered and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations.

## ARTICLE II

In order more effectively to achieve the objective of this Treaty, the Parties separately and jointly by self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack and communist subversive activities directed from without against their territorial integrity and political stability.

## ARTICLE III

The Parties undertake to strengthen their free institutions and to cooperate with each other in the development of economic progress and social well-being and to further their individual and collective efforts toward these ends.

## ARTICLE IV

The Parties, through their Foreign Ministers or their deputies, will consult together from time to time regarding the implementation of this Treaty.

## ARTICLE V

Each Party recognizes that an armed attack in the West Pacific Area directed against the territories of either of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

Any such armed attack and all measures taken as a result thereof shall be immediately reported to the Security Council of the United Nations. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

## ARTICLE VI

For the purposes of Articles II and V, the terms "territorial" and "territories" shall mean in respect of the Republic of China, Taiwan and the Pescadores; and in respect of the United States of America, the island territories in the West Pacific under its jurisdiction. The provisions of Articles II and V will be applicable to such other territories as may be determined by mutual agreement.

## ARTICLE VII

The Government of the Republic of China, grants, and the Government of the United States of America accepts, the right to dispose such United States land, air, and sea forces in and about Taiwan and the Pescadores as may be required for their defense, as determined by mutual agreement.

## ARTICLE VIII

This Treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of the Parties under the Charter of the United Nations or the responsibility of the United Nations for the maintenance of international peace and security.

## ARTICLE IX

This Treaty shall be ratified by the United States of America and the Republic of China in accordance with their respective constitutional processes and will come into force when instruments of ratification thereof have been exchanged by them at Taipei.

## ARTICLE X

This Treaty shall remain in force indefinitely. Either Party may terminate it one year after notice has been given to the other Party.

In witness whereof the undersigned Plenipotentiaries have signed this Treaty.

Done in duplicate, in the English and Chinese languages, at Washington on this second



day of December of the Year One Thousand Nine Hundred and Fifty-Four, corresponding to the second day of the twelfth month of the Forty-third year of the Republic of China.

For the United States of America:

JOHN FOSTER DULLES.

For the Republic of China:

GEORGE K. C. YEH.

**JOINT STATEMENT REGARDING THE CONCLUSION OF NEGOTIATIONS FOR MUTUAL SECURITY PACT BETWEEN THE UNITED STATES AND THE REPUBLIC OF CHINA**

Secretary of State John Foster Dulles, at his news conference today, made the following announcement:

"The United States of America and the Republic of China have concluded negotiations for a mutual security pact. The treaty will follow the general pattern of other security pacts which the United States of America has concluded in the Western Pacific.

"The treaty will recognize the common interest of the parties in the security of Taiwan and the Pescadores and of the Western Pacific islands under the jurisdiction of the United States. It will provide for inclusion by agreement of other territories under the jurisdiction of the parties. It is directed against threats to the security of the treaty area from armed attack and provides for continuing consultation regarding any such threat or attack.

"This treaty will forge another link in the system of collective security established by the various collective defense treaties already concluded between the United States and other countries in the Pacific area. Together, these arrangements provide the essential framework for the defense by the free peoples of the Western Pacific against Communist aggression.

"Like the other treaties, this treaty between the United States and the Republic of China will be defensive in character. It will reaffirm the dedication of the parties to the purposes and principles of the Charter of the United Nations."

The above joint United States-Chinese statement is being released simultaneously at Taipei.

DECEMBER 1, 1954.

**STATEMENTS BY SECRETARY OF STATE JOHN FOSTER DULLES AND FOREIGN MINISTER GEORGE K. C. YEH UPON THE OCCASION OF THE SIGNING OF THE MUTUAL DEFENSE TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF CHINA AT WASHINGTON, DECEMBER 2, 1954**

Secretary Dulles:

"It is a great pleasure to welcome Foreign Minister Yeh, Ambassador Koo, and the members of his staff here this afternoon for the signing of this Mutual Defense Treaty between the United States and the Republic of China. I wholly concur in what President Chiang Kai-shek said in his message to me yesterday, that 'a necessary link in the chain of Far Eastern defense has now been forged.' It is my hope that the signing of this Defense Treaty will put to rest once and for all rumors and reports that the United States will in any manner agree to the abandonment of Formosa and the Pescadores to Communist control. The signing of this treaty is not only an expression of the good will and friendship existing between the Governments of the United States and of Free China, but also of the abiding friendship of the people of the United States for the Chinese people."

Foreign Minister Yeh:

"It has been my privilege and honor to be associated with Mr. Dulles in the making and signing of this Treaty of Mutual Defense between my country and the United States of America. I am happy to recall that throughout the negotiations for this treaty, conducted at Taipei and Washington, we

have been guided by the principle of mutuality and the spirit of friendly cooperation.

"It is the hope of my Government that this treaty will serve to promote the common cause of freedom, particularly at this juncture of the world situation."

DEPARTMENT OF STATE,

Washington, December 10, 1954.

His Excellency GEORGE K. C. YEH,

Minister of Foreign Affairs of the Republic of China.

EXCELLENCY: I have the honor to refer to recent conversations between representatives of our two Governments and to confirm the understandings reached as a result of those conversations, as follows:

The Republic of China effectively controls both the territory described in Article VI of the Treaty of Mutual Defense between the Republic of China and the United States of America signed on December 2, 1954, at Washington and other territory. It possesses with respect to all territory now and hereafter under its control the inherent right of self-defense. In view of the obligations of the two Parties under the said Treaty, and of the fact that the use of force from either of these areas by either of the Parties affects the other, it is agreed that such use of force will be a matter of joint agreement, subject to action of an emergency character which is clearly an exercise of the inherent right of self-defense. Military elements which are a product of joint effort and contribution by the two Parties will not be removed from the territories described in Article VI to a degree which would substantially diminish the defensibility of such territories without mutual agreement.

Accept, Excellency, the assurances of my highest consideration.

/s/ JOHN FOSTER DULLES,

Secretary of State of the United States of America.

DECEMBER 10, 1954.

His Excellency JOHN FOSTER DULLES,

Secretary of State of the United States of America.

EXCELLENCY: I have the honor to acknowledge the receipt of Your Excellency's Note of today's date, which reads as follows:

"I have the honor to refer to recent conversations between representatives of our two Governments and to confirm the understandings reached as a result of those conversations, as follows:

"The Republic of China effectively controls both the territory described in Article VI of the Treaty of Mutual Defense between the Republic of China and the United States of America signed on December 2, 1954, at Washington and other territory. It possesses with respect to all territory now and hereafter under its control the inherent right of self-defense. In view of the obligations of the two Parties under the said Treaty and of the fact that the use of force from either of these areas by either of the Parties affects the other, it is agreed that such use of force will be a matter of joint agreement, subject to action of an emergency character which is clearly an exercise of the inherent right of self-defense. Military elements which are a product of joint effort and contribution by the two Parties will not be removed from the territories described in Article VI to a degree which would substantially diminish the defensibility of such territories without mutual agreement."

I have the honor to confirm, on behalf of my Government, the understanding set forth in Your Excellency's Note under reply.

I avail myself of this opportunity to convey to Your Excellency the assurances of my highest consideration.

GEORGE K. C. YEH,

Minister for Foreign Affairs of the Republic of China.

Mr. GEORGE. Mr. President, my statement on the treaty will be very brief.

The Committee on Foreign Relations on February 8, by a vote of 11 to 2, authorized me to report favorably to the Senate the Mutual Defense Treaty with the Republic of China.

This treaty is the sixth mutual defense treaty which the United States has concluded in the Pacific area within the last few years. It states clearly and unequivocally that an armed attack in the West Pacific area, including an attack specifically on the islands of Formosa and the Pescadores, would be dangerous to the peace and security of the United States. It underlines policies which were developed on a bipartisan basis during the Truman administration and which have been supported on a similar bipartisan basis during the present administration. Indeed, the Far Eastern Subcommittee of the Committee on Foreign Relations, which has been under the alternating chairmanship of the Senator from Alabama [Mr. SPARKMAN] and the Senator from New Jersey [Mr. SMITH] during the past 4 years, has maintained a close and intimate working relationship with the Secretary of State in developing our policy in this area.

I know of few instances in which there has been more successful functioning of our constitutional concept of the Senate advising with the President and his Secretary of State in the formulation of foreign policy.

The treaty now before the Senate is in a sense the keystone to our western Pacific defense chain, starting in northern Japan and coming south through Korea, the Ryukyu Islands, including Okinawa, thence to Formosa, the Pescadores, the Philippines, Australia, and New Zealand. Formosa is in the middle of this chain of island defenses.

I know of no competent military authority who would deny that it would be dangerous to the security interests of the United States should Formosa fall into unfriendly hands. During our discussion of House Joint Resolution 159, which has now become Public Law 4, the former chairman of the Foreign Relations Committee, the Senator from Wisconsin [Mr. WILEY], inserted into the Record a series of statements from our outstanding military authorities over the past 5 years indicating the unanimity of their views in this respect. I commend that unanimity of expression to any who may doubt the depth of our interests in Formosa.

Some people will ask why it is that the United States should proceed now to enter into a mutual defense treaty with Nationalist China.

In addition to the argument that Formosa and the Pescadores form an important link in our island chain of defense in the western Pacific, there is the obvious fact that the Republic of China constitutes one of the strongest anti-Communist forces in the East. A vigorous force in being on the island of Formosa is a helpful deterrent to aggression in that area.

But, Mr. President, there is another reason which to me is very compelling. Some have suggested that we have con-

cluded treaties with Japan, Korea, the Philippines, New Zealand, and Australia, but have omitted Nationalist China because we might want to trade Formosa and the Pescadores to Red China as a part of an overall settlement in the Far East.

This charge has no doubt done a great deal of damage to the morale of the Nationalist Government and the people on Formosa. It has also reflected upon the integrity of our Government and our good relations with Nationalist China.

It seems to me that the approval of this treaty now will dispel any clouds of doubt that may exist on this point.

In spite of virtually unanimous agreement on the part of members of the Foreign Relations Committee that Formosa and the Pescadores must not be permitted to fall into unfriendly hands, there was considerable worry in the committee about three aspects of the treaty. I shall discuss these matters briefly.

#### THE LEGAL STATUS OF FORMOSA

The view was advanced during committee's consideration of the treaty that it may have the effect of recognizing that the government of Chiang Kai-shek has sovereignty over Formosa and the Pescadores. On the one hand, reference was made to the Cairo Declaration which stated that Japan was to be stripped of her island territories in the Pacific and that territories stolen from the Chinese, such as Formosa and the Pescadores, shall be restored to the Republic of China. On the other hand, reference was made to the fact that while Japan in the peace treaty renounced all right, title, and claim to Formosa and the Pescadores, such title was not conveyed to any nation. After full exploration of this matter with Secretary Dulles, the committee decided that this treaty was not a competent instrument to resolve doubts about sovereignty over Formosa. It agreed to include in its report the following statement:

It is the understanding of the Senate that nothing in the present treaty shall be construed as affecting or modifying the legal status or the sovereignty of the territories referred to in article VI.

In other words, so far as the United States is concerned, it is our understanding that the legal status of the territories referred to in article VI, namely, Formosa and the Pescadores—whatever their status may be—is not altered in any way by the conclusion of this treaty.

#### MUTUAL AGREEMENT

Another matter which concerned the committee was the last sentence of article VI which provides that the provisions of the treaty will be applicable to such other territories as may be determined by mutual agreement. This means that, although article VI is applicable now only to Formosa and the Pescadores, it would be possible to make it applicable to other territories, such as Quemoy and Matsu, by mutual agreement. Secretary of State Dulles stated, when he appeared before the committee, as follows:

It is our view that an agreement to extend the coverage of the China defense treaty

to additional territories would in practical terms amount to an amendment of the treaty, and should be submitted to the Senate for its advice and consent.

During the committee's consideration of this matter, one of the members proposed that the last sentence of article VI be stricken, arguing that since it could not be given effect except by resubmission to the Senate, there was no point in having the sentence in article VI. The committee felt, however, since similar language appears in the southeast Asia pact that it would be unfortunate to strike it from the treaty with the Republic of China. It was agreed, however, that specific language on this point should be included in the committee report. That language is as follows:

It is the understanding of the Senate that the mutual agreement referred to in article VI, under which the provisions of articles II and V may be made applicable to other territories, shall be construed as requiring the advice and consent of the Senate of the United States.

#### EXTERNAL ARMED ATTACK

Finally, several members were concerned that, because of unique conditions in Formosa, some emphasis should be given to the idea that an armed attack against either of the parties which would bring the treaty into operation should be identified as an attack from outside—that is, an external attack. It was also noted that in the exchange of notes between the Minister of Foreign Affairs of the Republic of China and Secretary of State Dulles, dated December 10, 1954, it was made clear that the use of force from either the Pescadores or Formosa or from other territory under the control of the Republic of China would affect both parties, and therefore the use of such force would be a matter of joint agreement. In order to resolve any doubts that might exist with respect to the obligations of the parties in the event of an armed attack which would bring into operation article V of the treaty, the committee agreed to insert the following language in its report:

It is the understanding of the Senate that the obligations of the parties under article V apply only in the event of external armed attack, and that military operations by either party from the territories held by the Republic of China shall not be undertaken except by joint agreement.

Somewhat similar language was incorporated in an understanding in connection with the Senate's approval last year of the Mutual Defense Treaty with Korea.

#### DIFFERENCES BETWEEN PUBLIC LAW 4 AND TREATY

The question will surely be raised as to the differences between Public Law 4, which we passed a few days ago, and the treaty now before us. There are those who will ask why it is necessary for the Senate to act on this treaty when we have already given the President authority to employ the Armed Forces of the United States to protect Formosa, the Pescadores, and "related positions and territories" against attack.

There are several differences which warrant our attention. In the first place, Public Law 4 was in effect a unilateral declaration of intent on the part

of the United States. The treaty before us is a mutual undertaking between two nations.

Had it not been for the overt Communist aggression in the area, I am sure the administration and the Senate would have preferred to act first on the treaty and then, if necessary, to take the step embodied in Public Law 4. Unfortunately, we have learned by now that Communist threats do not always permit us the time to act in the way in which we might like.

Another important difference between the treaty and Public Law 4 is the fact that Public Law 4 is broader in territorial scope than is the treaty. The treaty applies only to Formosa and the Pescadores. Public Law 4, however, applies to related positions and territories whose defense the President judges to be required to assure the defense of Formosa and the Pescadores.

A final difference between the two is that the treaty is to remain in force indefinitely except that it may be terminated on 1 year's notice, whereas Public Law 4 is to expire as soon as the President finds that the peace and security of the area are reasonably assured.

In summary, aside from the fact that the pending treaty is considerably narrower in geographical coverage than is the resolution, the essential difference is that by the treaty the United States undertakes an international obligation, whereas by the public law our action was unilateral and voluntary.

Mr. President, before concluding my remarks I desire to stress the fact that the Committee on Foreign Relations believes that it is in the national interest of the United States for the Senate to give its advice and consent to this treaty. Secretary of State Dulles testified that the Chinese Communists are now probing our resolution. Any display of weakness or uncertainty now might have catastrophic consequences. We can be sure that the Communists will undertake aggression if they think they can get away with it. This treaty will make it clear that the United States would view any attack on Formosa and the Pescadores as a danger to our peace and safety.

The history of the Far East since the war has not been happy. Hundreds of millions of people have fallen under Communist domination. I do not attempt to pass judgment on whether or not it might have been possible to stem this advance. I do know now, however, that the United States, supported by nearly every free country in the western Pacific, has made its intentions known. It intends that no other areas of the western Pacific shall fall under Communist control by the use of armed force. This very fact should be of tremendous significance to the morale not only of the people on Formosa, but to our friends from northern Japan on south to Australia and New Zealand.

I ask that those who would oppose this treaty give most serious consideration to the consequences of their action. I feel certain that, as responsible Members of this body, they will do so. It is not enough to say that there should be



drafting changes or that there are imperfections in language. We are dealing here with issues and attitudes that involve the future of freemen in the western Pacific. Our leadership of freemen requires responsibility. I ask the Senate to give its overwhelming approval to this treaty.

Mr. SMITH of New Jersey. Mr. President, I wish to speak briefly in support of the treaty which is now before the Senate and which I consider to be a most important and desirable instrument.

As I have said before on the floor of the Senate, we are likely to be confused, in our thinking of the Formosan situation, as to exactly what the significance of this particular treaty is. We are apt to think that Formosa is a piece of real estate. We are likely to think of these discussions as an attempt by us to support an administration which is led by Generalissimo Chiang Kai-shek. That aspect, of course, should be taken into consideration, but I must emphasize that the Formosan issue is a part of the global issue today. The Formosan issue is very definitely a part of the whole Chinese issue. Today the Formosan issue is closely related to the Korean situation, which involves a very questionable truce, so far as its continuing nature is concerned.

The Formosan issue is very definitely related also to the very uncomfortable, uneasy truce in Indochina.

So we are not dealing merely with the question of title to Formosa. We are dealing with one of the main items in the security of the free world, and a main item in the actual security of the United States, as the distinguished senior Senator from Georgia has just pointed out.

As many of my colleagues know, it has been my privilege to visit Formosa several times in the course of the past few years. I had many occasions to discuss the Far Eastern situation with Generalissimo Chiang Kai-shek, and to obtain first-hand knowledge of the problems which the Nationalist Government faces, of its aspirations, and its hopes. From this experience, I have confirmed my previous conviction that in the leadership on Formosa, which is one of the free nations of the eastern world, we have a friend and ally. Nay, more, the cause of the people of Formosa is common with our own and they have the capacity and the determination to fight attempts by the Communists to extend their dominion over Formosa and the Pescadores.

Late last summer, together with Secretary Dulles, I visited Formosa, at a time when negotiations looking toward the conclusion of a mutual defense treaty were initiated. Secretary Dulles, the junior Senator from Montana [Mr. MANSFIELD], and I had been to the Manila conference when the Southeast Asia defense treaty was signed; and on the way back, we stopped in Formosa to discuss the situation there. On that visit to Formosa, in speaking with the Generalissimo and members of his government, I was particularly disturbed by the feeling that there was much uncertainty in their minds as to why we had

not extended to them the treaty pattern we have followed in the Pacific. The distinguished Senator from Georgia, the chairman of the Committee on Foreign Relations, has just outlined those other treaties and has listed them. They include our mutual security treaties in various areas of the Far East.

I had the feeling that the people of Formosa could not quite understand why they, of all the critical targets under assault by international communism in the Far East, had been singled out, so to speak, and excluded from the general pattern of treaties which we were entering into. It seemed to me that there was grave danger that the morale of the Nationalist Chinese was being adversely affected. In view of their importance to us as a bastion of defense which is vital to our lines in the Pacific and, as I said a moment ago, to the free world globally, I confess that their attitude appeared quite understandable to me.

That is one of the reasons why I feel so strongly that this treaty should be ratified, and ratified promptly. Indeed, it is almost incongruous that we have not concluded a treaty of this kind before now. It is not only that Formosa and the Pescadores are a vital anchor in our island defense chain, but also that in this Pacific fortress there is a strong military force whose very presence is a deterrent to Communist ambitions. I stress again the fact that there is in Formosa a well-trained army, equipped by us during the past few years; and the fact that that army is a strong deterrent to aggression in that area. If that force were not in existence, and if we wished to exclude Formosa from falling under the control of Communist China, it would be necessary for us to station American troops there. I am one who believes that the training and strategic placing of native Nationalist Chinese troops is the way to solve the problem in the Far East, in an area where the people are trying to gain their own freedom and independence. It is therefore most essential not only that Formosa be kept in friendly hands, but also that the Nationalist strength on the island be maintained.

I believe that approval by the Senate of the pending treaty will go far toward preserving the Nationalist morale. If the Formosan people feel that they are part of the western free nations which are resisting the onrush of communism, they will feel that we are with them. If in any way they are bottled up and are prevented from being effectively used, if they have to be used, their morale certainly will be adversely affected. This is particularly true when better judgment has required the evacuation of the Tachens, which, as all Senators are aware, is now under way. The Senate's approval of the treaty will go far toward offsetting any dejection which might be felt over the relinquishing of those islands; and I am advised that there is a good deal of dejection locally. At the same time, it will, I am convinced, make it as plain as we can make it, that the United States is determined to resist further encroachments by the Communists, by giving them advance notice that if they attempt to seize Formosa and the Pescadores they will have to run over us.

By embodying a commitment of this kind in a positive treaty obligation, we disabuse the Communist Chinese of any lingering misapprehensions they might entertain that our course in that area is a purely voluntary one, which might shift with the dictates of expediency.

I think it is worth emphasizing, Mr. President, that the treaty really does not commit us to anything which we have not already determined to do as a matter of policy. The treaty actually is narrower in scope, as the distinguished Senator from Georgia has pointed out, than the joint resolution which Congress passed near the end of last month, and which is now Public Law 4. It omits any reference to the additional controversial territories covered by the resolution; but it does solemnize our convictions that this Government must protect Formosa and the Pescadores in its own national interest.

I know, Mr. President, that there may be some among us who may be concerned over the possibility that, in an unforeseen moment, the Nationalist government might embark on a course of action which would inevitably involve us in war with the Chinese Communists. I submit, Mr. President, that the risks of such involvement are inherent in the situation prevailing in that area. The treaty does not add to such risks, but, in fact, because it makes perfectly clear to the world what we will do in the event of aggression, it may contribute to reducing the risks which do exist.

On the other hand, I think it is important to emphasize again that this is a purely defensive treaty. It is not an instrument designed to facilitate our participation in offensive military operations against the mainland.

That phase of the question was discussed to a great extent in the debate on Public Law 4, as pointed out by the distinguished Senator from Georgia. That discussion need not be repeated; but I should like to emphasize that the treaty is not an instrument designed to facilitate our participation in offensive military operations against the mainland.

As in the case of all the other mutual defense treaties we have concluded in the Pacific, the basic commitments of the treaty do not come into operation except in the event of an armed attack against the territory of either of the parties. And even in the event of such an attack, Mr. President, the United States is not automatically committed to military action, but the measures which we do take must be in accordance with our constitutional processes.

It might be said this is all very well and good, but what assurance do we have, in view of the delicate conditions prevailing in the Formosan Straits, that the other party to the treaty, by unilateral action, might not maneuver us into a position where we have no choice but to embark upon military operations which are not truly of a defensive nature? The answer to that, Mr. President, is that we do have assurances of precisely that kind from the Government of the Republic of China. In an exchange of notes on December 10, 1954, between Mr. George Yeh, China's Min-

ister of Foreign Affairs, and Secretary of State Dulles, it was agreed that the use of force from any of the areas covered by the treaty will be a matter of joint agreement, subject to action of an emergency character which is clearly an exercise of the inherent right of self-defense. This undertaking, together with the defensive nature of the treaty before us, meets the needs of our own security.

There is one further point I wish to make concerning the area dealt with in the treaty. I have already referred to the fact that the treaty is narrower in its geographic scope than the resolution we recently approved authorizing the use of our Armed Forces in the Formosan area. Its protective shield covers only Formosa and the Pescadores, avoiding the area of controversy represented by such islands as Quemoy and Matsu.

Article VI of the treaty, however, does provide that the obligations of the treaty may be made applicable to other territories by mutual agreement. But Secretary Dulles was careful to assure the committee that, as in the case of the Southeast Asia Collective Defense Treaty and the North Atlantic Treaty, "an agreement to extend the coverage of the China defense treaty to additional territories would in practical terms amount to an amendment of the treaty, and should be submitted to the Senate for its advice and consent."

To eliminate any doubt that such was its interpretation of the instrument, the committee decided to include in its report an understanding to that effect.

Mr. President, there are two paragraphs in the committee's report which I should like to read at this time, because I think they are important. One is under the heading Need for Prompt Ratification, which appears on page 7 of the report as paragraph 10. I shall now read from the report of the committee:

It is common knowledge that the area for which protection is sought by this treaty is under a direct and immediate threat of Communist attack. Certain islands under the control of the Republic of China, not covered by the treaty, have been attacked by air, and from the sea; and recently one of these islands fell to Communist invaders from the mainland. There is, therefore, cogent reason to expedite the Senate's action on the treaty, to the end that the Mao Tse-tung regime may be deterred from reckless attempts to liberate Formosa in the face of our pledged word to help keep it from falling into unfriendly hands.

On January 14, the Legislative Yuan of the Chinese Nationalist Government ratified the treaty. The committee believes that for the Senate to delay giving its approval to this treaty, whose aims are solely defensive, would be unfortunate.

Mr. President, I should like to read at this point the final conclusions in the committee report, which are as follows:

Our Government has determined that it is in the national interest that Formosa and the Pescadores be kept in friendly hands, as an important anchor in the defensive chain from the Aleutians to Australia. It is, therefore, of great importance that this policy, which until now has been voluntary and unilateral, be supported by a concrete undertaking to take appropriate action to

help defend Formosa and the Pescadores against armed attack. By doing this in terms which cannot be misunderstood, it is hoped that the Communist military regime will be deterred from further attempts to aggrandize its position in the Far East at the expense of the free world. At the same time, the treaty will give further evidence of our intention not to abandon a wartime ally who fought valiantly in a long and exhausting struggle against a common foe. Finally, it is believed that the treaty, by putting the world on notice as to our intention, will contribute to the peace and security of a dangerous and sensitive zone.

For these reasons, the Committee on Foreign Relations urges the Senate to give its advice and consent to the ratification of this treaty.

Mr. President, in conclusion, I say personally, as a member of the committee and through my experience on the Far Eastern Subcommittee of the Foreign Relations Committee, that it is my conviction the treaty which is before the Senate will strengthen our position in the Far East. Not to approve it would only give aid and comfort to the Communists, and unquestionably encourage them to further aggressive action. I, therefore, join with the distinguished chairman of the Foreign Relations Committee in urging the Members of the Senate to give their approval to the ratification of this treaty.

Mr. HOLLAND. Mr. President, I do not desire to speak at length on the pending treaty, but I wish to make brief observations as a basis for some questions which I should like to address to the distinguished senior Senator from Georgia [Mr. GEORGE], the chairman of the Senate Committee on Foreign Relations, and also to the distinguished senior Senator from New Jersey [Mr. SMITH], one of the ranking minority members of the committee, both of whom have already spoken ably and, I think, very convincingly on the pending treaty.

Mr. President, as a basis for my own questions, I merely wish to say that insofar as the joint resolution which the Senate passed a few days ago was concerned, I was one of those who felt it was highly necessary that it be passed, and that it was a matter of immediacy, requiring prompt action by the Senate. Since then there has been no doubt in my mind as to the soundness of those conclusions. It seemed to me that it was vitally necessary for our form of government to show its ability to function effectively and promptly to meet threats actually developing under present conditions, which threats did not exist, of course, in the earlier history of the Nation; and that not only was there need for the action we took when we passed the joint resolution by such an overwhelming vote, but there was need for our very prompt and affirmative action upon it. At this time I shall not attempt to go further into that matter; but I wish to say that I completely differentiate the joint resolution from the pending treaty. The joint resolution was not only unilateral, but it was an expression of our own interest and of our own need to defend the territories involved in the Far East, and to defend them effectively under the conditions of

modern warfare, if such conditions should develop.

In the present instance, the proposal before the Senate is bilateral; it is permanent, instead of temporary; and it has to do with mutual interests and commitments, instead of a unilateral expression in our own interest, under which, in passing the joint resolution, we showed that the legislative branch of our Government saw the matter eye-to-eye with the executive branch, and therefore took united action, so that the world might understand what we were doing in the defense of our own vital interest.

In the instant matter I have been cognizant not only of the fact that the pending treaty is mutual and that, if ratified, it will create international obligations, but also that it is of permanent importance, rather than of merely temporary importance, as we hope the joint resolution may prove to be.

I have been disturbed and concerned about the very matters which are dealt with by the three recitals of understanding which appear in the printed committee report, all of which have been ably discussed by the distinguished senior Senator from Georgia and the distinguished senior Senator from New Jersey. I shall now read for the record those three recitals of understanding which I understand from the addresses which have been made by the two distinguished Senators to whom I have referred have been inserted in the committee report in an attempt to clarify certain questions which were in the minds of themselves and other Senators, and which I hope have done so.

The first of those statements, which is to be found on page 6 of the committee report, is as follows:

It is the understanding of the Senate that nothing in the treaty shall be construed as affecting or modifying the legal status or sovereignty of the territories to which it applies.

The second appears on page 4 of the committee report, and is as follows:

It is the understanding of the Senate that the obligations of the parties under article V apply only in the event of external armed attack; and that military operations by either party from the territories held by the Republic of China, shall not be undertaken except by joint agreement.

The third which appears on page 5 of the report, in subdivision 6, is as follows:

It is the understanding of the Senate that the "mutual agreement" referred to in article VI, under which the provisions of articles II and V may be made applicable to other territories, shall be construed as requiring the advice and consent of the Senate of the United States.

Mr. President, upon the basis now laid, I should like to address some questions, if I may, to the distinguished senior Senator from Georgia [Mr. GEORGE], and of course with the understanding that they are likewise addressed to the distinguished senior Senator from New Jersey [Mr. SMITH], so that he will feel perfectly free to amplify or supplement or object to—if he cares to do so—any statement which may be made by the distinguished senior Senator from Georgia.

Before stating the questions, let me say that it certainly is cause for comfort,



to me, that these distinguished Senators from opposite sides of the aisle, who have made a careful study of this question, stand so closely together as their addresses already have indicated they do, upon this important matter.

Mr. President, if I may ask the questions, therefore, let me say that my first question to the distinguished senior Senator from Georgia is based on my understanding that, at one time, Senators who had doubts about the matters dealt with by the three statements of understanding which I have just read, and which are inserted in the committee report, had expected to ask the committee to report reservations along the same line, as now included in the statements of understanding on the part of the committee. It had also been my understanding that Senators who were not members of the committee had intended to offer reservations from the floor.

Now let me ask this question of the distinguished senior Senator from Georgia: What is the effect of the inclusion in the report of the committee of those three statements of understanding, and their repetition and approval in the arguments and debates of the Senator from Georgia and the Senator from New Jersey? Is that effect in any sense tantamount to the adoption of reservations by the Senate, either as between the parties to the treaty, or as between the Senate and the executive branch of our Government, or as notice to the world and to the family of nations as to the precise meaning of the treaty, if it be ratified without the attachment of specific reservations which would mean the same, as to content, as those three statements of understanding mean?

To state the question more briefly, do these three statements of understanding operate in the same manner as would the adoption of reservations on the same subject, and are they tantamount to the adoption of reservations?

Mr. GEORGE. Mr. President, I may say that, clearly, these statements in the committee report are not reservations; neither would they have been reservations if they had been included in the resolution of ratification of the treaty. In that case, they would have had the effect which they have in the committee report and in the statements which have been made, but particularly in the report of the committee.

Under all the circumstances in this particular case, and in relation to this particular treaty, and bearing in mind that the treaty is between the United States and the Republic of China, only—the two parties to it—I think those statements of understanding are tantamount to reservations. Certainly there is the explicit and express approval of the Secretary of State as to those points on which it was thought desirable or even necessary to make any statements; and therefore they have been included in the report, for the obvious reason that they do become substantially reservations, in the particular situation in which we find ourselves.

There was never any intention to deal with the sovereignty of Formosa or the Pescadores. We have never asserted

sovereignty, and certainly have made no claim of title. There could have been no occasion for a treaty between the United States alone and the Republic of China, so far as title or sovereignty is concerned.

So far as joint action or joint agreement is concerned, to which reference has been made, it is covered by one of the express statements. It will be found that in the treaty, or attached to it as a portion of it, is the interpretation or agreement of the representative of the Chinese Republic and of the Secretary of State of the United States, and there is no variance between the statements made in the report and this annex to the treaty.

So far as the return to the Senate for its advice and consent of any agreement to include any area other than Formosa and the Pescadores is concerned, that would, of course, be an extension of the very terms of the treaty, and without this express statement it would necessarily come back to the Senate. In any event, this is the exact statement made by the Secretary of State, and everything else in the committee report has the express concurrence, at least, of the Government of the United States. Therefore, these statements are tantamount to reservations, so far as this treaty, this particular contract between the two governments, is concerned.

There are different degrees of solemnity, even in the making of treaties, or in the making of international agreements. A reservation, of itself, would go to the text of the treaty. An understanding on which one of the governments acted in the ratification of a treaty, which understanding might be incorporated in the resolution of ratification, would represent the understanding of that government alone. It might be open to question by the other government or party to the treaty, but it would have a high degree of solemnity.

Under the circumstances in this particular case, these explicit declarations by the committee have the actual effect, in my opinion, of reservations—that is, of interpretations—and have a high degree of solemnity. While technically they are not reservations, and are not technically inserted in the resolution of ratification, they, nevertheless, become a part of it.

I may say to the Senator from Florida that I am emboldened to make the statement that, with the express assurance by the Government of the United States itself, which is a party to the treaty, that we were proceeding upon perfectly sound ground in the statement of our interpretation of this treaty and of its requirements, any effort to act beyond these express statements of understanding on the part of the Senate would restrain the executive branch of the Government, as if those statements had themselves been incorporated in the resolution of ratification with respect to this treaty. So while technically they cannot be described as reservations, they, nevertheless, have the effect of reservations in this situation.

Mr. HOLLAND. Mr. President, I appreciate the clear answer of the distinguished Senator from Georgia. If the distinguished Senator from New Jersey

[Mr. SMITH] cares to amplify that answer, I shall be happy to have him do so.

Mr. SMITH of New Jersey. Mr. President, let me say to the distinguished Senator from Florida that, as usual, the distinguished Senator from Georgia has made the subject entirely clear. He has given complete answers as to the reasons for the procedure which the committee adopted.

I call attention to the fact that, with respect to each of the points which the distinguished Senator from Florida raised, the language opens in every case with the words: "It is the understanding of the Senate—" The reason that language is used is, as the distinguished Senator from Florida has said, that this is an interpretation of language with respect to which some question had been raised in the committee.

We wish to make it clear that this interpretation was arrived at after an extended discussion with the Secretary of State, in which every possible angle was presented. It is an interpretation of language which appears in the treaty or language which appears in the exchange of notes with Mr. George Yeh, who is the Minister for Foreign Affairs of the Republic of China. I read from the language found on page 4:

It is the understanding of the Senate that \* \* \* military operations by either party from the territories held by the Republic of China shall not be undertaken except by joint agreement.

That language was taken from the George Yeh correspondence.

In all these cases it is the feeling of the committee that the interpretation of the language is the important thing to stress. No reservation of any sort is needed. The language speaks for itself. There is no question about the interpretation of the language. We tried to make it crystal clear in the report what that interpretation was.

Mr. HOLLAND. I thank the Senator from New Jersey. I should like to ask a specific question.

What was the intention of the committee in embodying in its report the particular statement of understanding which reads as follows:

It is the understanding of the Senate that nothing in the treaty shall be construed as affecting or modifying the legal status or sovereignty of the territories to which it applies.

Was it the understanding of the committee in incorporating those words that by its report, by its approval of the treaty, and by ratification of the treaty—if that should follow—any question of sovereignty would be specifically reserved, and that there would be a specific reservation of every question with respect to the determination of the specific legal rights of the Republic of China? Was it the intention of the committee that in dealing with the Republic of China, now occupying that area, we would be acting upon a basis of attempting in no way to affect, impair, or enlarge the title, right of possession, right of ownership, right of occupancy, or whatever right exists, leaving that question exactly as it now is, for other determination?

Mr. SMITH of New Jersey. The Senator is entirely correct in that suggestion. The statement was embodied in the report because the suggestion had been made by someone outside the committee that possibly in entering into this treaty we would be recognizing a certain status of the Republic of China which might be the subject of controversy. We desired to make it crystal clear that we were not going into that subject in any way, and that whatever the status was before the treaty was signed, it would be exactly the same after the treaty was signed. As the distinguished Senator has well pointed out, we did not intend to bring that question into the picture.

Mr. HOLLAND. If I may, I should like to ask one further question, relative to the other two recitals, other than the one just referred to.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. KNOWLAND. Before the Senator goes into the other two recitals, I think it is very important that there be no misunderstanding as to the action of the committee. As I understand the action of the committee, what it did was to say in the report that, wherever the sovereignty of Formosa lies, and without passing judgment upon that sovereignty, it will not be changed by the action of the Senate in ratifying the treaty.

It should be borne in mind that a reservation would require action on the part of the other party. The other party might not be willing and probably would be unwilling to consider any question with respect to its interpretation of the sovereignty of the land on which it has 9½ million citizens and an army of roughly a half million. What we are saying is that whatever the sovereignty may be, and without passing judgment on it, the situation is not changed in the slightest by the action of the Senate of the United States in ratifying the treaty.

Mr. HOLLAND. Mr. President, I believe the Senator from California and I are not too far apart. However, the way in which he phrases his statement makes it mean something vastly different from the way I would understand it if I had phrased it. He has stated that we do not wish to affect the sovereignty of Formosa in any way. My understanding of the committee report is that we do not want to affect any right or title of the Republic of China, whatever it may be, under the present occupancy and control that exists, whether it be sovereignty or something else.

Mr. KNOWLAND. I am not quibbling about words. I care not whether we call it sovereignty or title or occupation or population. Whatever it is, this treaty does not change it. The Republic of China has a very clear idea as to what it believes the situation is. We are not changing it by our action. We are not changing our views upon it, whatever the sovereignty is or whatever the title is. That is not changed one way or another by the action of the Senate. I believe it is important that we keep that in mind.

Mr. SMITH of New Jersey. I am in entire accord with the Senator from California in his statement.

Mr. HOLLAND. Mr. President, the last statement made by the Senator from California is completely in accord with my own belief. We are not quibbling about the title. Some may have ideas in one direction, and others may have ideas in some other direction. Our own Nation has recognized the Republic of China. The United Nations has recognized the Republic of China. The Republic of China certainly has very definite rights. Whatever those rights may be, it is my hope that the report of the committee indicates that that is not a question we are determining, and that we are simply entering into a mutual understanding for defense, regardless of what that title may be, and whether or not it reaches as far as sovereignty.

Therefore, regardless of how we may feel on that question, we can all join in expressing our approval, for the same reasons that we joined in expressing our approval of the joint resolution the other day. After all, it is a matter now of making a mutual contract out of some of the substance which we recited in the joint resolution—which was a unilateral declaration—as to our feeling with respect to Formosa and the Pescadores and how far we should go in defending them.

Mr. SMITH of New Jersey. I believe the expression just made by the distinguished Senator from Florida is the feeling the committee had regarding the matter to which he has referred.

Mr. HOLLAND. Mr. President, I have another question I wish to ask, and my asking the question is not to be regarded in any way as a reflection on the present State Department or on any past or future State Department at any time.

It is the understanding of the Senator from Florida that the State Department, an arm of our Government, is just as much bound by our intentions and understandings, as we pass upon this treaty, as is the Senate, if it ratifies the treaty.

The purpose of addressing my question to the Senator from New Jersey is to discover for the RECORD whether the effect of the two recitals relative to mutual agreements which are contained in the committee report are just as binding on the State Department and on the Senate in connection with domestic issues that might arise in our own Government, as if they were, in fact, reservations, as between ourselves and the other party signatory to the contract.

Mr. SMITH of New Jersey. The Secretary of State himself was really the source of the thinking with respect to the two understandings on pages 4 and 5—I assume that is what the Senator from Florida is referring to. In the light of that fact and the fact that a joint agreement would have to be entered into before any military operation could be undertaken, as referred to in the exchange of letters between the Secretary of State and the Foreign Minister of the Republic of China—and because the Secretary of State has stated very definitely that with respect to article VI an amendment to the treaty would be required, which would necessitate action by the Senate, I would say that the Senator from Florida is correct in his understanding.

Mr. HOLLAND. Then we are to understand that the expression of understanding with reference to the necessity for having an amendment of the treaty in the event new territory should be added, and, likewise, relative to the meaning of the words "joint agreement," in the event operations are to be attempted elsewhere, apply just as strongly to the Secretary of State—those expressions having in fact, been suggested by the Secretary of State—and bind the State Department just as much as the expression of the Senate would bind the Senate?

Mr. SMITH of New Jersey. It is the opinion of the Senator from New Jersey that the understanding of the Senator from Florida is correct. That is the way I understood the matter when we discussed it with the Secretary of State. In fact, I discussed the matter with the Secretary of State on the return trip from Formosa. I can say without hesitation that the same restrictions would apply to the Department of State that would apply to Congress, and that with the legislative history which is being developed in connection with the treaty, it would be very difficult to evade the implications or the statements here made of the understanding.

Mr. HOLLAND. It is the understanding of the committee, and it is so stated to the Senate, that the Department of State subscribes to those statements of the understanding, and, in fact, was a party to wording them. Is that correct?

Mr. SMITH of New Jersey. It is a fact that the statements originated with the Secretary of State, and that the Secretary of State gave his full approval to the inclusion of the statements in the committee's report. Therefore, it would seem to me that the members of the committee gave their full approval to the matter, that it was done with the consent of the committee, and that every member of the committee who dealt with the matter regarded it as being the expression of the committee, the Senate, and the State Department.

Mr. HOLLAND. I thank the distinguished Senator from New Jersey and I am also greatly indebted to the distinguished Senator from Georgia.

Mr. WILEY. Mr. President, I associate myself with the conclusions which have been arrived at in the discussion today, particularly with the remarks of the chairman of the Committee on Foreign Relations.

I wish to say, briefly, that our Government has determined that it is in the national interest that Formosa and the Pescadores be kept in friendly hands as an important anchor in the defensive chain from the Aleutians to Australia. Therefore, I urge that the Senate support the treaty on the ground of self-interest.

Every general who has been acquainted with the situation in the Far East, from General MacArthur to the present commanders, has arrived at the conclusion that Formosa is an anchor in the defensive chain. That is why we are making this treaty. All other matters are irrelevant so far as the defense of the United States is concerned. I



urge the Senate to support this treaty on the grounds of the self-interest of the United States. This is not an altruistic undertaking for the benefit of the Republic of China; it is a hardheaded enterprise for the defense of the United States and of the free world. The sooner we see the importance of this treaty, the better. It may not be so important 10 years from now, because the inventive genius of man may find that the bulwark of Formosa is not necessary. But let us get it firmly into our minds that Formosa should be held in friendly hands, or we shall have to hold it ourselves.

As has been stated, Chiang Kai-shek is our friend. He has some 350,000 well-armed, well-equipped troops, and if he holds Formosa for us, we do not have to place our men there. That is simple commonsense.

We are getting men out of South Korea. With 600,000 well-equipped South Korean soldiers, we can take most of our men from Korea.

I am not a military man, Mr. President. If the decision were up to me, in the first instance, I might arrive at a different conclusion, but I have long since learned that as a Senator of the United States it is not my business to be a judge or to undertake to administer the affairs of the executive branch of the Government. This is a government of divided powers. Thank God, it is a government where power is divided, where checks and balances operate, not one where the Executive is the "whole show" or where the judicial branch is the "whole show."

It is the function of the executive branch to make foreign policy decisions, and it has performed that function by deciding that Formosa and the Pescadores are a most important anchor in our defense. The executive branch of the Government has made its decision, and I accept it. It has come to the Senate with this treaty and stated that in its judgment the treaty is in the interest of America and in the interest of our self-defense.

In substance, the executive branch has said that we can either defend the United States in the Straits of Formosa, now, or we may have to defend it later in San Francisco Bay. That is what the question boils down to, and that is where we would be if we were to insist on eliminating all risks from our foreign policy. That is why I am in favor of this treaty. All the legal argument is of no consequence, so far as I am concerned.

I could argue the question of sovereignty and present facts showing that for some centuries China did not have control; that the Japanese held Formosa for some 50 years; that China ceded it to the Japanese. But we took it from the Japanese. We are only one of the allies. Nationalist China is in control now. Nationalist China is an ally and a friend. We do not have to place our troops there, because the territory is in friendly hands.

I repeat, Mr. President—repetition sometimes emphasizes matters—that from MacArthur down, it is the judgment of every general who has been in the Far East that the island of Formosa

is essential to the defense of our beloved country, and it must remain in friendly hands.

The treaty confirms our vital interest in the strategically important area it covers. In this respect, the treaty is complementary to the joint resolution which we passed 2 weeks ago authorizing the President to use the Armed Forces of the United States to defend Formosa and the Pescadores.

That joint resolution in no way detracts from the desirability of prompt ratification of the treaty. I remind the Senate that the joint resolution was a unilateral action on the part of the United States. It is further a temporary action, in that it lasts only until the danger in the area has passed.

The treaty is more nearly permanent, and is a mutual agreement to take certain action in conjunction with one of our good friends and allies. As between nations of character, nations which are dedicated to principles of morality, treaties in and of themselves are perhaps not very important, Mr. President. We know, and our Chinese friends know, that we would concert our actions in this area whether we had a treaty or whether we had no treaty at all. The ties of warm friendship that bind the Chinese people and the American people can never be adequately reflected in the legalisms of so formal a document as a treaty.

But the important thing, Mr. President, is to let the world know that we—that is, the United States and the Republic of China—intend to do what this treaty says we will do, and particularly to let the Communist part of the world know it.

Letting the Communists know what we will do has proved very beneficial with reference to the Tachen Islands. We are simply saying to the Communists, "Thus far and no farther"; and that has kept them back. They have kept away. As a consequence, Nationalist Chinese forces are leaving the Tachens without being attacked.

From every point of view, it is not only good politics but also good economics for friendly nations to pool their strength in mutual assistance.

I again invite attention to the fact that with these islands in friendly hands some 350,000 efficient fighting men are at our disposal. It has already been estimated that 10 Turkish divisions can be sustained for the cost of 1 American division. I do not know what the figures are in relation to the Chinese.

As I have said, this also is an economic proposition, and I am sure the facts I have stated show that statement to be true.

Sometimes in the Senate we concern ourselves so much with the obligations which the United States assumes under a treaty that we overlook some of the benefits which accrue to the United States. Among the important benefits which we will receive under this treaty is the help of the armed forces of the Republic of China. These forces are substantial. We have played an important role in furnishing them with equipment, and we should continue to do so. By the expenditure of a relatively small amount of money in that way, we can

build up collective strength far greater than would otherwise be available. Certainly it would cost us many times more to attempt to build up solely with American manpower forces equal to those of the Republic of China now in existence.

The principle of mutual collective security which is embodied in this treaty is one of the most appealing things about it, Mr. President. Anyone who surveys the world today with an objective eye must be struck by the fact that the cause of the free world needs all the support we can get for it. This treaty is one more link in the chain of collective security agreements—a chain which began, chronologically, with the Rio Treaty and which now includes the North Atlantic Treaty, the Southeast Asia Treaty, and our treaties with Japan, with Korea, with the Philippines, and with Australia and New Zealand.

These treaties are all, in a sense, complementary. Although we must not underestimate the importance of the particular treaty now before us, we must not lose sight of the fact that it is, after all, only one link in the chain which we must keep strong. Formosa is only one spot in the world where communism now threatens freedom. We must not become so engrossed in one spot that we neglect the whole.

It has been stated, and I believe it to be true, that this may even be a diversionary tactic on the part of the planners in the Kremlin.

We cannot be sure what the recent changes in the government of the Soviet Union portend. We know that the situation in Europe is disturbing; conditions in the Middle East are not entirely satisfactory; and we have no grounds for complacency in regard to Southeast Asia. News from Germany and France indicates how well the Kremlin has been playing its cards.

Above all, Mr. President, we must not lose sight of the fact that Western Germany is high on the priority list of the Soviet Union. If the leaders in the Kremlin could only draw our attention away from that vitally important area while their diplomats and their agents are at work trying to undermine the morale and the determination of the German people to remain free, nothing would please them better.

I trust that the Senate will approve the treaty and get it started on its way. Let us open our eyes to the whole picture throughout the world.

We must be alert and keep our collective defenses up around the world. This treaty will help us to do that in one segment of the world, and for that reason I urge prompt action by the Senate to advise and consent to its ratification.

Mr. KNOWLAND. Mr. President, I do not intend to delay the Senate very long in discussing the pending treaty. I wish to say, first, that I join with the distinguished Senator from Georgia [Mr. GEORGE], who is chairman of the Committee on Foreign Relations, in the excellent presentation which he made. I am confident that he spoke with the overwhelming approval of Members on both sides of the aisle in support of this

important treaty which is a link in our collective defense system in the Pacific.

Because of the misunderstandings which might arise, both at home and abroad, it is important that we place the Province of Formosa, which is a part of the Republic of China, in the proper perspective. At present, there are on the islands of Formosa and the Pescadores 9,500,000 free Chinese. How does this number compare with that of other nations in the world? It is larger than the population of 43 independent nations today. I shall take the time to call the roll of those nations, so that we may judge, from a population point of view, how important it is to keep Formosa and the Republic of China out of Communist hands.

So that we may understand what the situation would be if some of the other nations whose names I shall read happened to be threatened by Communist aggression I state their populations, as follows:

Republic of China: Formosa Province	9,500,000
Ceylon	8,269,000
Australia	8,917,763
New Zealand	2,074,781
Albania	1,175,000
Andorra	5,231
Saudi Arabia	6,500,000
Austria	6,949,000
Belgium	8,778,000
Bolivia	3,107,000
Bulgaria	7,160,000
Costa Rica	881,000
Cuba	5,814,112
Denmark	4,408,000
Dominican Republic	2,291,000
Ecuador	3,439,000
El Salvador	2,054,000
Finland	4,164,500
Greece	7,865,000
Guatemala	3,048,000
Haiti	3,112,000
Honduras	1,557,000
Iceland	150,000
Iraq	5,100,000
Ireland	2,942,000
Israel	1,669,397
Jordan	1,500,000
Lebanon	1,353,000
Liberia	2,750,000
Libya	1,340,000
Luxembourg	300,000
Nicaragua	1,166,000
Norway	3,375,000
Panama	864,000
Paraguay	1,496,000
Peru	9,035,000
Portugal	8,621,000
San Marino	13,500
Sweden	7,192,316
Switzerland	4,884,000
Syria	3,535,000
Uruguay	2,525,000
Venezuela	5,440,000
Yemen	4,500,000

Mr. President, as I said at the beginning, the Republic of China, on Formosa, has a population larger than that of any of the nations which I have mentioned. It would seem to me that both in the United Nations and outside that organization some of these small nations, which later on might become the victims of the appetites of the men in the Kremlin, or at Peiping, would think twice about giving even remote consideration to a Far Eastern Munich or a Geneva-type conference, or about giving their assent to any plan involving the sacri-

fice of 9½ million human beings on Formosa as a price to buy a temporary peace, a peace which could not, by its very terms, last very long, but which, by its nature, would destroy the hope of mankind of being able to maintain a free world of freemen.

I should think that there would be moral indignation among the people of the great nations of the world if, in order to satisfy the ruthless, godless tyranny in the Kremlin or in Peiping, their governments should consent to sacrifice 9,500,000 human beings in an international poker game, when the territory is not theirs to give and the lives are not theirs to sacrifice.

The world should have learned at the time of Munich that the road to appeasement is not the road to peace; it is only surrender on the installment plan. The great nations of the world should have understood that they had no moral right at Munich, without the knowledge or consent of the Government of Czechoslovakia, to barter away the sovereignty of a large segment of that country and its vital defenses. Those who sat at Munich thought they were buying peace in our time. We know they were buying no such thing. They were only making inevitable World War II; because when international blackmail is paid, it is the same as the paying of any other type of blackmail: the rate of demand of extortion on the part of the blackmailers is only increased.

So much for that phase. The question has been raised as to the legality or sovereignty or title. I am not a lawyer. Men may honestly differ on this subject. I suppose that lawyers could argue the question for months on end.

It is true that Formosa has a history of first having belonged to the old Empire of China and of then having been acquired by Japan in a war of conquest. Japan later was forced to give up Formosa, as a result of her defeat in World War II.

The Government of the Republic of China, which was our ally during World War II, was promised the return of her lost territory, both at the Cairo conference and at later conferences, in which similar understandings were had.

The Government of the Republic of China accepted the surrender of Japanese forces on the island of Formosa, and since then has been in occupation of the island and is the legal Chinese Government.

But so far as any legal technicality is concerned as to where the title presently rests, I do not intend to argue that point now. It was ably argued by the distinguished Senator from Georgia [Mr. GEORGE] and the distinguished Senator from New Jersey [Mr. SMITH]. Whatever it is, it will not be changed by the action we shall take on the pending treaty.

In view of certain questions raised in memorandums which were circulated some time ago, I consider it to be important to have a statement which I read into the committee hearings on a recent day repeated in the Senate itself, so that it may appear in the RECORD. On Janu-

ary 5, 1950, President Harry S. Truman made the following statement:

The United States Government has always stood for good faith in international relations.

In the joint declaration at Cairo on December 1, 1943, the President of the United States, the British Prime Minister, and the President of China stated that it was their purpose that territories that Japan had stolen from China, such as Formosa, should be restored to the Republic of China.

The United States was a signatory to the Potsdam Declaration on July 26, 1945, which declared that the terms of the Cairo Declaration should be carried out. The provisions of the declaration were accepted by Japan at the time of its surrender.

In keeping with these declarations, Formosa was surrendered to Generalissimo Chiang Kai-shek and for the past 4 years the United States and other Allied Powers have accepted the exercise of Chinese authority over the islands.

That is the end of the quotation from former President Truman's statement.

On the same day the then Secretary of State, Dean Acheson, said:

The Chinese have administered Formosa for 4 years. Neither the United States nor any other ally ever questioned that authority in that occupation. When Formosa was made a province of China nobody raised any lawyer's doubts about that. That was regarded as in accordance with the commitments.

Now, in the opinion of some, the situation has changed. They want to say, "Well, we have to wait for a treaty." We did not wait for a treaty on Cairo. We did not wait for a treaty on the Kuriles. We did not wait for a treaty on the islands over which we have trusteeship.

I believe it to be important that those statements appear in the RECORD at this time.

It is true, Mr. President, that the Republic of China has temporarily, at least, been forced off the mainland to Formosa, the Pescadores, and certain adjoining areas. During World War II some free governments of the world were completely forced out of any territory they held. When Poland was occupied by the Nazis, and then when the Soviet Union, contrary to the solemn agreement it had with Poland, stabbed that nation in the back, the Government of Poland went into exile in London. Yet, despite the fact that the Government of Poland did not occupy a single foot of Polish territory, the powers dealt with the Government in exile. Unfortunately, relying on the promises of the Soviet Union at Yalta—and the promises in every agreement the Soviet Government has entered into have been violated—those representing Poland disbanded the free Government of Poland in exile, and relied on the Soviets to provide for free elections in Poland to establish a government.

We know now, from the bitter lessons of history, that the Communist idea of a free election is much different from that of the free world; and Poland passed behind the Iron Curtain as tightly as though she were a province of the Soviet Union. So in this instance there is a government which is occupying a province of its own country, and yet some nations of the world are willing to deal



with 9½ million human beings in another vast area of the world in an international poker game.

Mr. President, the chairman of the Foreign Relations Committee very clearly pointed out that we have drawn a defense line in the Pacific area, as we have in other sections of the world. The island of Formosa is a key part of that defense line. It is not only important to our own vital interests, as was disclosed in the evidence adduced by competent military and other personnel, but the loss of Formosa would have a detrimental effect upon all the other free nations of Asia, even though Formosa were not a key part of the defense line.

So, again, if we hope to maintain free nations in Korea, in Japan, in the Philippines, in New Zealand, and Australia, if you please, in Southeast Asia, and even in some of the neutral nations, such as Indonesia, Burma, and India, it must be realized that their vital security interests are very much linked to the question whether or not the free world shall now stand firm, or shall again retreat in the face of Communist threats. That is true because, as certainly as that we are here today, if we abandon this line, if we sacrifice the people of Free China, all of Asia will go down the drain. If the Communists should take Korea, Japan, Formosa, the Philippines, and coming up through Thailand, Burma, Malaya, eastern Pakistan, they should knock at the doors of India, I think Mr. Nehru would be very naive to think that they would say to him, "Mr. Prime Minister, because you were a neutral, more or less favorable to our side, now, when our legions are at the door of India, we will stop in consideration of your past efforts." No, Mr. President; India would be next in line, and then it might be too late to call upon the nations of the free world, because the number of nations capable of interposing resistance would be much smaller than it is today.

Another thing which I consider to be extremely important is that we serve notice that this area will not be used as a blue chip in an international poker game. We have had friendly relations with the Republic of China over a long period of years. China has contributed much to human civilization. Just as we can hope that the people of Poland, Czechoslovakia, Hungary, Rumania, Latvia, Lithuania, and Estonia may some day once again be free, so we can at least hope that some day the great people of China may throw off the yoke of the Godless Communist tyranny. No man can know under what circumstances that event may come about, but at least we should not destroy the hope of those people who have been forcibly taken behind the Iron Curtain that some day they may be able to live as civilized human beings, worship their God according to their own consciences, live their daily lives as they might wish to do, and have such educational institutions as they would like to have.

Mr. President, for these reasons I was glad in the Committee on Foreign Relations to support the treaty without any reservations of any kind. I believe the committee action in making clear its intent in the report is perfectly sound;

but I think time is of the essence because of the very critical situation which exists in the Pacific.

I hope the Senate will promptly and overwhelmingly approve the treaty.

The PRESIDING OFFICER. The treaty is before the Senate, as in Committee of the Whole, and is open to amendment.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that further proceedings under the order for the call of the roll be dispensed with and that the order for the call of the roll be rescinded.

The PRESIDING OFFICER. Without objection—

Mr. MORSE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard on the part of the Senator from Oregon. The clerk will continue to call the roll.

The Chief Clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

Aiken	George	Monroney
Allott	Gore	Morse
Anderson	Green	Mundt
Barkley	Hayden	Murray
Barrett	Hennings	Neely
Beall	Hickenlooper	Neuberger
Bender	Hill	O'Mahoney
Bennett	Holland	Pastore
Bible	Humphrey	Payne
Bricker	Ives	Potter
Butler	Jackson	Robertson
Byrd	Johnston, S. C.	Russell
Carlson	Kefauver	Schoeppel
Case, N. J.	Kerr	Scott
Chavez	Kilgore	Smathers
Clements	Knowland	Smith, Maine
Cotton	Langer	Smith, N. J.
Curtis	Lehman	Sparkman
Daniel	Long	Stennis
Douglas	Magnuson	Symington
Duff	Mansfield	Thurmond
Dworschak	Martin, Iowa	Thye
Ellender	McClellan	Watkins
Ervin	McNamara	Wiley
Flanders	Millikin	Williams

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], and the Senator from Arkansas [Mr. FULBRIGHT] are absent on official business.

The Senator from Texas [Mr. JOHNSON] and the Senator from Massachusetts [Mr. KENNEDY] are absent by leave of the Senate, because of illness.

Mr. KNOWLAND. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Connecticut [Mr. BUSH], the Senators from Indiana [Mr. CAPEHART and Mr. JENNER], the Senator from South Dakota [Mr. CASE], the Senator from Illinois [Mr. DIRKSEN], the Senator from Arizona [Mr. GOLDWATER], the Senator from Nebraska [Mr. HRUSKA], the Senator from Nevada [Mr. MALONE], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Idaho [Mr. WELKER], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

I also announce that the Senator from California [Mr. KUCHEL] is necessarily absent.

The Senator from Connecticut [Mr. PURTELL] is necessarily absent because of illness.

The PRESIDING OFFICER. A quorum is present.

Mr. MORSE. Mr. President, I undertake this discussion of the Formosa treaty fully cognizant of the solemn obligation I owe to the people of my State. I undertake it also with a very sad heart, because it is not easy to stand up, in an hour which I believe to be so historic as is this one, and find myself diametrically opposed to the views of some of my closest and most respected friends in the Senate, of whose sincerity and patriotism and devotion to the public interest there can be no doubt. I appreciate their assurances to me privately that they have the same high regard for the sincerity and patriotic impulses which motivate me.

I shall not yield during the course of my formal remarks. However, I shall be very happy, when I have completed those remarks, to yield for any questions that may be asked of me.

Mr. President, I shall vote against this treaty unless reservations can be attached to it. I shall vote against it because I do not believe the treaty is in the best interest of my country. I shall vote against the treaty unless reservations can be attached to it, because I believe the treaty will increase, rather than lessen, the danger of our becoming involved in a third world war.

I shall vote against the so-called treaty because, in my judgment, it is not a treaty. By it we pledge ourselves to defend a government whose claim to the territory it rules at present is at best very doubtful.

In my judgment it is not an instrument of agreement with a sovereign power. Therefore the document does not even meet the definition of a treaty. I am of the opinion that in the years to come, if and when this document comes before a juridical world tribunal, it will not be recognized as a treaty between two sovereign powers. This document is a military alliance, not a treaty.

Oh, I know the argument that will be made. When I try to hold firm to the historic, established doctrines of international law, as I did in connection with the joint resolution recently passed and as I do now in connection with this treaty, the argument in opposition will be to the effect that the Senator from Oregon is dealing in legalisms.

Let me forewarn my country that it cannot afford to turn its back on established international law doctrines unless it wishes to lose the fight in the battle which lies ahead to win the minds of millions of people throughout the world in the cause of freedom. Those minds at the present time are in doubt as to America's intentions in Asia.

As I have been heard to suggest on another occasion on the floor of the Senate, let us never forget, that from the time Asiatics reach the age of reason, from the time when Asiatic folklore and tradition can be drilled into their minds, they are brought up on the intellectual food that the great enemy of Asia is Western domination. That has been true for decades and decades and dec-

ades. It was that traditional point of view which gave the British Commonwealth and the Republic of France years of trouble in Asia.

I do not want to see my country inherit the imperialistic policies of France and Great Britain and other Western powers in Asia. Although mighty are we today, in terms of time, I believe we will come to the end of the same road if we give the Asians cause to believe that America's course of action in Asia leads to another form of Western domination.

There is nothing about us that will be any more appealing to the Asians than were the British and the French and the Dutch and other great imperialistic powers, who in years gone by exercised tremendous domination over Asia, only to fall. And they have fallen.

Great Britain and France and Holland no longer are great dominating forces in Asia. Their days of empire are over. Asians, both on this side of the Iron Curtain and on the other side, are appealed to by the propaganda that they must always be on guard against the threat of Western domination.

I say we must win the fight against the spread of the vicious, lying Russian Communist propaganda that the West seeks to dominate the East. We are not going to do it by seeking to extend spheres of influence beyond our international law rights. When we do it we play right into the hands of Communist propagandists, and we manufacture the fuel for their Red furnaces.

We have rights in the Pacific, and the Senator from Oregon is for protecting those rights to the hilt. But the Senator from Oregon believes that the rights of the United States in the Pacific can be protected within the framework of international law—that never should we as a nation become guilty of stepping outside that framework, and that we should resolve all doubts in favor of staying within that framework. That is why I wish to plead with my colleagues in the Senate that we resolve all doubts in regard to the meaning of certain language of the treaty by writing into it by way of reservation language which will leave no room for doubt as to the intent and meaning of the Senate of the United States.

Oh, Mr. President, the argument is made that this will cause delay; that the legalistic approach of the Senator from Oregon will cause delay and that new negotiations will have to be undertaken. I say, Mr. President, I think this treaty is so dangerous to the welfare of my country that we had better renegotiate it.

We have made very clear that we are going to protect our legal rights in the Pacific. I am for protecting them. We made very clear in the joint resolution which was passed some days ago that we would fight to protect those rights, if necessary. The record is clear as to my opposition to that part of the resolution which did not deal directly with the defense of Formosa and the Pescadores. I said, as Senators will recall, that I knew what would happen to me when the reactionary segment of the press went to work on me and the edi-

torials were penned. In the past 10 days there have been published in reactionary newspapers, and in some other newspapers, editorial after editorial attacking my position and urging a preventive war by this country. Only because I have been so attacked do I exercise my right on the floor of the Senate to answer that argument once more.

There is no Member of this body who would urge moving faster to defend Formosa and the Pescadores than would the Senator from Oregon. That is why I cosponsored the Lehman amendment to strike from the resolution the language, which by no legal definition could be called language of limitation, which authorized the President of the United States to take such further action or to take such other action or such other measures as he should decide to be necessary to defend Formosa and the Pescadores. That language was as broad as China.

Let me say to the people of my State today, Mr. President, that under such language the Congress of the United States bestowed legal authority on the President to order a bombing of Shanghai if he should decide to do so. I do not think he would do that, but let me say that when we are dealing with great legal principles we should not authorize the application of a legal doctrine which permits of abuse. I do not propose, knowingly, intentionally, or wilfully to do that on the floor of the Senate.

There is no question about what we authorized. Although the reactionary segment of the press has been trying to cover it up for 10 days and attacking those of us who said that under the joint resolution a preventive war could be started, the fact is that the testimony of the Secretary of State and of the Chairman of the Joint Chiefs of Staff of the United States Military Establishment leaves no room for doubt as to the power authorized by the Congress of the United States in that resolution.

Let me repeat, Mr. President, and it needs to be repeated, in order to counteract, at least to some extent, the slanderous attacks of certain newspapers against the men who dared to stand up and vote for what they believed to be a fundamental principle of international law and also a fundamental principle of the Constitution, that the power to declare war rests upon and vests in the Congress of the United States and not in the President. So we disagreed with the joint resolution which sought to authorize the President to take such other measures as he decided were necessary, when the testimony showed that it was clearly intended to authorize him to strike at the mainland of China if he decided—on the basis of military advice—that a concentration of military forces on the mainland of China, no matter where it might be on the mainland, was intended to be directed shortly against Formosa and the Pescadores.

It was our judgment, Mr. President, that the exercise of such authority, if it should result in a strike against the mainland of China before an act of war was committed against us, would consti-

tute a declaration of war or the commission of an act of war against China.

Is that legalistic? If so, let me tell the Senate that those who argue against me on that point cannot meet the terms of my argument, because there is no answer to the point that if such power was granted—and they did not deny that it was granted—and if the power were exercised before an act of war was committed against us, then we would become guilty for the first time in all America's history of committing an act of war against another nation before an act of war had been committed against us.

I do not wish to sentence future generations of American boys and girls to that judgment of history, because it will not be complimentary. I do not think that is the way to win the peace. One of the ways to win the peace is always to keep ourselves in such a position that there can be no basis in truth for any of the vicious things which the Russians say about us.

When our hearts are clean, when we have nothing but peaceful intentions, it is easy to make the false assumption that the rest of the world agrees with us.

In the world today there is a variety of public opinion toward the United States. There is the poisoned mind of the Communists who think we are all sorts of hideous creatures designing only to make war. There are people in Asia, on this side of the Iron Curtain, who do not swallow the Communist line, but who simply cannot understand some of the things we do. They cannot understand such threats as are contained in the joint resolution recently passed by the Congress. It makes them wonder. They can understand when we say, "Listen, China and Russia, if you strike the Pescadores or Formosa, you are at war with us; if you start a strike against them you are at war with us." But, Mr. President, as we are thousands of miles away from the scene and are not attuned to the oriental mind—and we Anglo-Saxons are not so attuned—we should recognize that we do not do a very good job of interpreting and understanding the oriental mind. Our whole intellectual conditioning has been different. Our bringing up has been different. We are a Nation of doers. We are a people who, when we see a job which should be done, ask the simple question: Why not go about doing it?

The oriental mind is not attuned to that sort of direct action. The oriental is much more inclined to think philosophically, religiously, and historically. To him time is not the precious commodity that it is to the American. To him materialism is not the precious wealth that it is to the American. He cannot quite understand our haste. There are many differences between us, such as color of skin, spiritual values, and social and cultural values. But he has a great common denominator with us, namely, human instinct.

He knows the difference between international right and international wrong. He knows, from a long line of historic tradition, that a tremendous display of military might, accompanied by a dare-if-you-do threat of aggression, is not



conducive to peace. He has been trampled under throughout the centuries. He has had the conqueror march over him before. All his folklore teaches him those lessons. He wants to believe the best about us.

But there he is in India. Let us keep our eyes on India. She has been the downfall of other Western powers in Asia, and she can be the downfall of the United States in Asia. Today our prestige in India is at the lowest ebb of many, many years, because the Indians, not on the basis of Russian Communist propaganda, but on the basis of their own thinking, have been warning us for many months past that they do not like our actions in Asia.

If proof of that fact is needed, check the Commonwealth Conference, just closed in London. There were not many hurrahs for America from the Indian delegate; in fact, there were no hurrahs for America from most of the delegates. Why? We have them worried. We have them puzzled. They are afraid that we may stumble into a course of action which will lead us into serious trouble in Asia, and possibly involve them in war, and they do not want war. Of all the causes of war, one which they do not want is a cause of war based upon protecting the Nationalist Chinese. I do not think we shall have any allies in that kind of war in Asia.

That is why I say, Mr. President, that free Asians recognize our legal right to defend Formosa and the Pescadores, for reasons which I shall set forth momentarily; but they are not with us in the American idea that the way to show the Communists that we mean business is to pass legislation in the Congress of the United States which authorizes a preventive war. That scares them. They are not sure that they like that kind of ally. I wonder, if we were Asians, whether we would blame them too much.

I repeat, as the whole thesis underlying my argument this afternoon, as it was about a week ago this afternoon: I am for protecting Formosa and the Pescadores to the hilt, and by war if necessary, if war should be made upon us. The resolution provides for that. This treaty is not necessary to do that.

Oh, but it is said, "What about the Nationalist Chinese forces? We must protect them."

Mr. President, we have been protecting them for a long time. I am for continuing to protect them from a blood bath. When we protect our legal rights in Formosa, we protect the Nationalist Chinese.

But it is said that we may destroy their morale, and they might not be effective allies. There is no good reason for such consequences. I think they know how lucky they are. I think they know that, for the most part, they are alive today because of the United States.

Strong appeals are made to us on the ground that we owe a great moral obligation to the Nationalist Chinese to back them up on the islands of Quemoy and Matsu, which lie 8 or 10 miles off the mainland of China; that we should give them the kind of recognition which this treaty will give them.

But I do not forget history easily. We owe the moral duty to protect the Nationalist Chinese as human beings from a Communist blood bath, and I am for doing it on Formosa within the framework of our legal rights. But I cannot forget the civil war in China which was taking place while we were still at war with Japan.

#### BACKGROUND IN CHINA

When I listen to the sentimental, emotional descriptions of the Nationalist Chinese regime, I pinch myself to make certain that I am hearing correctly because history shows clearly that the Generalissimo never controlled North China; his power always was in South China. A group of war lords always controlled North China, so far as the particular era about which we are talking is concerned, and the Generalissimo never made any progress in North China.

The United States poured munitions into the hands of Nationalist China by the hundreds of millions of dollars worth, and again the record is clear that great quantities went into the hands of the Communists, much of it unpacked from the packing boxes in which it was shipped to China.

We hear much about the alleged sellout of the Nationalist Chinese by that great American, Gen. George Marshall. Anyone who will read the record will know that there was no sellout. Anyone who will read the record will know that when General Marshall went to China on his mission, with no preconceived notions, and with no plan drafted for him to carry out except first to find out what the facts were and to see what could be done in behalf of making China an effective ally in that war, he came up against the hard, cold reality that the Generalissimo never had power in North China.

The Communists ruled it. It is not a fact to my liking. It is not to my liking that the Communists rule even 1 square inch of the earth's surface. But whether it is to our liking or not will not change the fact. When General Marshall got to China the Generalissimo was impotent in North China. The record is clear on that fact. It is an interesting fact that some of the highest of our military officials advised Marshall that an effort should be made to work out a coalition between the Nationalist Chinese and the Communists. That fact cannot be successfully disputed. It is a matter of written record which was submitted to us in black and white when I was on the Armed Services Committee. Yet this great American, George Marshall, has been subjected to vicious attacks over what happened in China when he was up against these hard, cold realities.

The fact is that to have placed the Generalissimo in control in North China would have required thousands of American marines, and the Generalissimo would have stayed in control just so long as American marines were maintained there to keep him in control. The Generalissimo would not have been kept in control in North China by conducting Chinese tea parties, either. It would have been necessary to keep him there

with guns of marines, because the Northern Chinese would have had none of it.

The trouble many Americans have about that problem is that they do not even understand the geography of China. They do not understand the great geographical differences between the northern and southern provinces of China, and the differences geography has made in the people of China over the centuries. As one moves from one Chinese province to another, in many respects he actually moves from one country to another. Yet the American people were ready to believe this Chinese leader was the leader of all China. He never was.

We became very much disturbed about what was happening to our aid to China. We became very much disturbed here in the Congress, and there are men now sitting within my view in this Chamber who were greatly disturbed at the time about what was happening to American supplies which went to China, because the briefings we received from the State Department and the Pentagon Building at that time—and do not forget that John Foster Dulles was in the State Department under a bipartisan policy—were that great quantities of those supplies were going directly over to the Communists because of the corruption, bribery, and malfeasance which characterized the regime of the Nationalist Chinese.

Mr. President, I do not like to have to say these things, but let me tell my colleagues I am not going to gild the lily when it comes to the Nationalist Chinese, because too much is at stake so far as my country is concerned.

Here in the Congress we kept asking why something was not done to stop the flow of American military goods into Communist hands in North China. What does history show? We lost faith in the Generalissimo. It became pretty well established around the halls of this great legislative body and on the floor of the Senate that the Generalissimo was not doing a good job, and the evidence kept pouring in that he was not going to be accepted at any time in North China, and the number of dissidents in South China increased.

That tiny civil war at first had been limited pretty much to the so-called North China provinces. Only by way of argument or by analogy, Mr. President, do I draw this description, but it may help some persons who may read my remarks. Territorially the situation was something like that which would have prevailed if, for instance, Canada had represented North China and the United States had represented South China.

At no time, under my argument by analogy, did the Generalissimo control that part of China which, for purposes of illustration, I have described as the part controlled by Canada. The Generalissimo soon lost more and more control over the territory of South China. That tiny little war blazed more fiercely, and finally turned into a holocaust, and the Generalissimo was driven off the mainland of China. There was no doubt about the fact that the Chinese people wanted no more of him, and he took refuge on the islands near the coast and on Formosa.

There then developed among free nations and in world public opinion the great split over the Nationalist Chinese. We stood with the Generalissimo, although there was a general loss of confidence in him in places of high position in the United States. We decided to give him some aid and we poured millions and millions of dollars into Formosa for Chiang Kai-shek. We continued to recognize the Generalissimo, but some of our allies did not share our confidence in him.

Of course, there are many reasons why some of our allies recognized the Communist regime on the mainland of China. I think some of the reasons are pretty reprehensible. I have spoken about many of the actions in regard to this matter, and I incorporate everything and anything I have ever said on the floor of the Senate on Asiatic policy into my statement this afternoon. The senior Senator from Oregon can incorporate in his remarks today every statement on Asiatic policy he has made on the floor of the Senate since 1945 and not have to take back a single word, because they represent a consistent line of pleading with the people of the United States to watch out and not to follow, in Asia, a course of diplomatic action which might get us involved in an all-out war there. I take that position because I happen to believe—as General Bradley believed, and as he used to testify before the Armed Services Committee—that that is not the place to fight Russia, if we have to fight her; that if we have to fight Russia, we had better pick out our own battleground, and not get sucked into a war on the mainland of China.

Mr. President, some of my colleagues have said to me, today, "Wayne, I am disturbed about what you may say this afternoon on the floor of the Senate, because a great emotional, hysterical opinion is sweeping the country as a result of what happened yesterday in Moscow. Don't let yourself be maneuvered into a position in which you will be charged with following the 'Commie' line."

Well, Mr. President, I appreciate the devoted interest of such friends. However, my record will stand as one who is unalterably opposed to the "Commie" line and is unalterably opposed to everything the Communists stand for. Mr. President, because I am that kind of a patriot, I am opposing, this afternoon, a treaty which, in my judgment, may cause our country to get sucked in by the "Commie" line in Asia. I say that because I happen to believe—to turn the table on the argument that was made about me on the floor of the Senate a few days ago, when I opposed the joint resolution—that, in my judgment, this treaty will strengthen the "Commie" line in Asia, because the treaty will be used to add strength to the communistic propaganda. Those who wish to try to explain it away by means of committee reports, may do so all they wish; but what will the Communists not do with the language of this treaty, or so-called treaty, unless clarifying provisions are written into it?

Mr. President, I am opposed to the treaty, because I think it is a great aid to

the Communists. I have said a great many times that there is no doubt in my mind that the Communists will try to destroy us if we ever allow ourselves to become so weak that they can destroy us. I do not propose to help weaken my country, through this treaty; and the treaty will, I believe, have a weakening effect on our country, for reasons which I shall develop in the course of these remarks.

I have said these things about my deep conviction regarding the importance of our defense of Formosa and the Pescadores within our legal rights because I think we must defend them, not only in our own best interests, but also in the best interests of our allies, inasmuch as under the United Nations we owe a tremendous obligation to our allies. Many of them are weak, and many of them falter. Many of them are timid and uncertain, and have to lean on the backbone of America. I am in favor of helping them lean on it, and I am in favor of giving them the benefit of our strength, because we have a common interest in this great battle of the century for peace. One hundred years is the length of time it will take—at least 100 years, Mr. President; and truly it is the battle of the century, for we are not going to win the peace in less than 100 years. In fact, if we become involved in a third world war, we will not win the peace in 100 years. In that case, I think it will take longer than 100 years, because such a war will leave the world in chaos for so long a time.

Mr. President, our allies need to have us defend Formosa and the Pescadores because—as has been pointed out by my opposition in the course of this debate—they are in the chain of American defense running from the Aleutians, through Japan, to Australia, and New Zealand. However, that line of defense is not our line of defense alone; it is freedom's line of defense in the Pacific; and every free nation in the world has an interest in that line. We need the reinforcement and the support of that line by the other free nations of the world.

However, Mr. President, that line cannot be extended to the Quemoy and the Matsus, if the other free nations are to lend their support to that line. In that event, they will not come to its support; and they have told us so. I do not know how they could more clearly say so. They have said plainly that they will not stand behind and support that line unless we make it a line which runs through and includes Formosa and the Pescadores, but stays away from the mainland of China.

In terms of history, I do not think we can defend that line alone, because there is something strange about attrition; there is something strange about shrinkage; there is something strange about the deterioration of support: It shrivels the parent body. If we lose, through attrition and deterioration, the support of our allies behind a line in the Pacific, we will be there all alone; and then we shall have neutralism behind us and neutralism in front of us, plus opposition in the mass of the mainland of China and the Soviet Union.

Mr. President, the change in Russia yesterday did not cause me to quake at

my knees. I am not filled with any convictions of certainty—as I have heard expressed today, off the floor, by some of my colleagues—that this change means war. It can mean war. But, Mr. President, let me tell you what I believe it means, more than anything else, or what we ought to do more than anything else. We should consolidate the allies, and we should follow a course of action which will make very clear to the Kremlin and to Red China that all the allies are together, and are not divided.

As I said once before, let us remember the historic speeches made by Arthur Vandenberg, when—in speaking on the floor of the Senate—he used to warn us not to follow a course of action which would result in division among the allies. He took that position because the creation of such a division is the Russian game; it is what the Russians want. That is Russia's best hope of success, in any aim on her part to destroy America.

In this case we are dealing with an agreement which I do not believe deserves the legal title of "treaty." We are dealing with an agreement which involves the protection of a Nationalist Chinese regime which many of our allies fear, which they do not trust, and which they believe will try to lead the free world into a war on the mainland of China.

As I said yesterday, when I spoke in the Foreign Relations Committee, it was just yesterday morning that we heard over the radio the statement from Generalissimo Chiang Kai-shek, to the effect that his redeployment of troops off the Tachens was merely a military maneuver in preparation for a war on the mainland of China.

Do we want an agreement with a man who is making such a threat? I do not like his threat any more than I like the threats of the Reds. They both threaten war, not peace. I say that this treaty is not following the calculated risks of peace, but increasing the calculated risks of war. We are placing the sanction of approval upon a Chinese leader who is bent on reestablishing himself on the mainland of China, which he cannot do in any other way than through war; and he cannot conduct such a war without our being involved in it. I am for protecting him on Formosa, because we have the legal right and authority to protect Formosa, and because I do not think the fact can be disputed that it is our Christian, humanitarian, moral obligation to protect him on Formosa. But I will not be a party to creating a division of opinion between us and our allies over the Nationalist Chinese.

I have heard a great deal of talk about the 600,000 trained soldiers on Formosa. I happen to be one who believes that if they were ever transported to the mainland of China they would turn the situation into a military track meet. Thousands of them would vanish. It was not so long ago—and I can say this now because it became a matter of public property—that high military experts in this country testified that the combat efficiency of the Nationalist Chinese Army was 18 percent. Let us assume that in



the very brief time which has intervened it has doubled, which would be a military miracle.

It is not a military machine or force which fills me with very much enthusiasm as to what it could do militarily if it were confronted with strong military opposition; and if those forces are placed on the mainland of China they will be so confronted, because of the godless lack of value placed upon human life by the Communists. We experienced in Korea a part of their military strategy. Wave upon wave upon wave of human beings are thrown against an opposition force until they finally overpower it. In fact, their opposition is sometimes overpowered due to the sheer exhaustion of killing Communist hordes. That is what we are dealing with if we are talking about any possibility of the Nationalist Chinese regaining the mainland of China. If they regain it, it will be with the aid of American forces.

On the basis of such military facts as I have ever heard discussed, I am not enthusiastic about the argument as to what these great allies of ours, the Nationalist Chinese, will do if we become involved in war. I think the chief thing they will do will be to run. However, they will not be able to run as fast as they ran off the mainland of China, because they are older. I know the significance of that statement.

I dissent from the point of view being expressed to the American people that this is an effective military force. I think it would collapse, unless we were to fill its ranks with thousands of American marines and other foot soldiers and bring in the Navy and American air pilots to fight the battle. I do not wish to become involved in any agreement with a Nationalist Chinese leader with such a record of ineffectiveness as that of the Generalissimo, so far as being a military leader is concerned.

To come back to my point as to whether this is or is not a treaty, I refer Senators to the legal definition to be found in any reputable law dictionary, as to what a treaty is. I respectfully submit that we are going along on the assumption that there is no question that this document is a treaty. I do not think it is. The law dictionary says:

Treaty: A compact made between two or more independent nations with a view to the public welfare. (Quoted in *Altman & Co. v. U. S.* (224 U. S. 583, 32 Sup. Ct. 593, 56 L. ed. 894).) Treaties are for a perpetuity, or for a limited time. Those matters which are accomplished by a single act and are at once perfected in their execution are called agreements, conventions, and pactions, but the distinction in name is not always observed.

On the part of the United States treaties are made by the President, by and with the advice and consent of the Senate, provided two-thirds of the Senators present concur. (Const., art. 2, sec. 2, no. 2.)

A treaty is declared to be the supreme law of the land and is, therefore, obligatory on courts, whenever it operates of itself without the aid of the legislative provision; *U. S. v. Peggy* (1 Cra. (U. S.) 103 2 L. ed. 49); *Whitney v. Robertson* (124 U. S. 190, 8 Sup. Ct. 456, 31 L. ed. 386); *U. S. v. Rauscher* (119 U. S. 407, 7 Sup. Ct. 234, 30 L. ed. 425); *Maiano v. R. Co.* (213 U. S. 268, 29 Sup. Ct. 424,

53 L. ed. 792); but when the terms of the stipulation import a contract, and either of the parties engages to perform a particular act, the treaty addresses itself to the political, not to the judicial department, and the legislature must execute the contract before it can become a rule of the court; *Foster v. Neilson* (2 Pet. (U. S.) 314, 7 L. ed. 451). A treaty is a law of the land whenever its provisions prescribe a rule by which the rights of the private citizen or subject may be determined; *In re Cooper* (143 U. S. 472, 12 Sup. Ct. 453, 36 L. ed. 232). So an award by arbitrators under a treaty between the United States and another nation, by which the contracting nations agree that the decision of the tribunal of arbitration shall be a final settlement of all questions submitted, becomes the supreme law of the land and is as binding on the courts as an act of Congress; *Whitelaw v. U. S.* (75 Fed. 513, 21 C. C. A. 434, reversing *The La Ninja* (49 Fed. 575).

Later in my argument I shall discuss the point about a treaty, once ratified, being the supreme law of the land and a legal obligation resting upon the Nation. I shall discuss that point when we come to the interpretation of the treaty.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. MORSE. No. I stated at the beginning that I would not yield until I finished, and I do not wish to begin making exceptions.

Reading again from the legal text:

It need hardly be said that a treaty cannot change the Constitution or be held valid if it be in violation of that instrument. A treaty may supersede a prior act of Congress, and an act of Congress may supersede a prior treaty; and this is true both of treaties with Indians and foreign nations; *Cherokee Tobacco* (11 Wall. (U. S.) 620, 20 L. ed. 227); *U. S. v. Old Settlers* (148 U. S. 427, 13 Sup. Ct. 650, 37 L. ed. 509); *Fong Yue Ting v. U. S.* (149 U. S. 698, 13 Sup. Ct. 1016, 37 L. ed. 905). A treaty is of like obligation as an act of legislation; both are the supreme law of the land, and no supreme efficacy is given to the one over the other; *Whitney v. Robertson* (124 U. S. 190, 8 Sup. Ct. 456, 31 L. ed. 386). As between the statute and the treaty, if the 2 are found to conflict, the 1 last in time must control; *Ribas y Hijo v. U. S.* (194 U. S. 315, 24 Sup. Ct. 727, 48 L. ed. 994); *Sanchez v. U. S.* (216 U. S. 167, 30 Sup. Ct. 361, 54 L. ed. 432); as far as this country is concerned; *U. S. v. Lee Yen Tai* (185 U. S. 221, 22 Sup. Ct. 629, 46 L. ed. 878).

When a treaty is inconsistent with a subsequent act of Congress, the latter will prevail. The Constitution does not declare that the law established by a treaty shall never be altered or repealed by Congress; and while good faith may cause Congress to refrain from making any change in such a law, if it does so, its enactment becomes the law. No person acquires any vested right to the continued operation of a treaty. Although the other part to the treaty may have ground of complaint, still everyone is bound to obey the latest law passed; *Rainey v. U. S.* (232 U. S. 310, 34 Sup. Ct. 429, 58 L. ed. —).

A collector of customs cannot refuse to follow the directions of a statute because it is in conflict with a prior treaty; *Bartram v. Robertson* (122 U. S. 116, 7 Sup. Ct. 1115, 30 L. ed. 1118). A treaty is a part of the law of every State; *Cherokee Tobacco* (11 Wall. (U. S.) 616, 21 L. ed. 227); *Huenstein v. Lynham* (100 U. S. 483, 25 L. ed. 628). A treaty may remove the disability of aliens under State laws to inherit lands; *Bahud v. Bize* (105 Fed. 485); *Geoffrey v. Riggs* (133 U. S. 258, 10 Sup. Ct. 295, 33 L. ed. 642); *Opel v. Shoup* (100 Ia. 407, 69 NW 560, 37 L. R. A. 583); *Succession of Rixner* (48 La. Ann. 552, 19 South. 597, 32 L. R. A. 177, with

full note). A treaty binds the courts as fully as an act of Congress; *U. S. v. Peggy* (1 Cra. (U. S.) 103, 2 L. ed. 49); but it cannot deprive a citizen of a constitutional right; *The Neck* (138 Fed. 144). See also, Burr, *The Treaty-Making Power of the United States and the Methods of Its Enforcement as Affecting the Police Power of the States*. The question whether the United States is justified in disregarding its engagements with another nation is not one for the determination of the courts; *The Chinese Exclusion* case (130 U. S. 581, 9 Sup. Ct. 623, 32 L. ed. 1068).

Treaties should be liberally construed so as to carry out the apparent intention of the parties to secure equality and reciprocity between them; *Geoffrey v. Riggs* (133 U. S. 258, 10 Sup. Ct. 295, 33 L. ed. 642). Where concessions are made, the treaty is to be construed most favorably to the conceding nation; *U. S. v. De la Maza, Arredondo* (6 Pet. (U. S.) 691, 8 L. ed. 547).

So far as a treaty can be made the subject of judicial cognizance in the courts of this country, it is subject to such acts as Congress may pass for its enforcement, modification, or repeal; *Whitney v. Robertson* (124 U. S. 190, 8 Sup. Ct. 456, 31 L. ed. 386); *The Chinese Exclusion* case (130 U. S. 581, 9 Sup. Ct. 623, 32 L. ed. 1068); *Horne v. U. S.* (143 U. S. 570, 12 Sup. Ct. 522, 36 L. ed. 266).

Treaties are agreements between nations of a general nature bearing upon political or commercial questions, and are distinguished from conventions which are agreements relating to minor or specific subjects, such as consular conventions and postal conventions.

The right to negotiate treaties is one of the tests of sovereignty.

I emphasize that statement.

Because that legal doctrine goes to the heart of this part of my argument, it is my rebuttal to the point being made by my opposition in the debate that we are not recognizing a doctrine of sovereignty. Of course we are.

The right to negotiate treaties is one of the tests of sovereignty.

There are negotiations on both sides of this agreement, Mr. President.

A treaty with a state is considered by the United States as abrogated when such state is conquered by or incorporated into another state.

We could have a very interesting argument on that point, as to whether or not, in fact, so far as China is concerned, when the Generalissimo was driven off the mainland of China onto the territory to which he has no rights—nor do we, except the caretaker right to protect it—he was conquered.

If anyone thinks he was not conquered, let him try to send the Generalissimo back to the mainland of China. Therefore I repeat the legal rule:

A treaty with a state is considered by the United States as abrogated when such state is conquered by or incorporated into another state. But England has taken an opposite position.

However, England did so for different reasons.

I do not believe the document before us meets the legal tests of a treaty. It is not a treaty with a sovereign power. We do not make it a sovereign power by saying it is. We do not make it a sovereign power by a so-called act of diplomatic recognition.

It is very dangerous to follow a course of action which can be interpreted by the Communists as recognizing that the Na-

tionalist Chinese have sovereign rights over Formosa. Of course, the argument can be made that we do not do so, because we say in the committee report we do not do so. If that be the case, why do we not say so in the treaty? It is the treaty that will rule. It is the language of the treaty that will control. It makes no difference how many so-called fine intentions we write into the fine print of the committee report; no world court, if we ever get into an international judicial tribunal dispute over this treaty, will pay any attention to the fine print in a Senate committee report.

It is elementary in legislative construction that there is no need to worry about the alleged intent of the passers of legislation if the document can speak for itself. Lawyers appearing before a court are not allowed to create an ambiguity by argument. Of course, the court must listen to them. After the court has listened to them, what does the court say? The court says, in effect, that the court can read and that the court reads the language, and the language raises no ambiguity. That is the rule even in a stronger case than my opposition raises, when it comes to the interpretation of domestic law by a domestic court. The courts in such instances are very liberal in listening to counsel's efforts to convince the court that there is an ambiguity. But, when the language is as crystal clear as is the language in this agreement the courts say, "The language speaks for itself. We can do nothing but follow the language and apply it."

Therefore, in my judgment, the so-called qualifying or conditioning or limiting language in the report of the Committee on Foreign Relations is not worth the paper it is written on so far as its legal effect before a world court is concerned. It does not change the treaty. The treaty, in my judgment, seeks to give the world the impression that the Nationalist Chinese have sovereign rights in Formosa. I do not believe we can escape that deduction.

I point out that Formosa and the Pescadores have changed hands many times in the past. Prior to 1895 Formosa and the Pescadores had a semiautonomous status, and were repeatedly used by political factions from the Chinese mainland as a place of last refuge. The Generalissimo is not the only Chinese leader who escaped into exile on Formosa, in terms of ancient Chinese history.

Chinese claims to the island have differed from time to time, but, in the main—indeed, I believe, for the most part—we can say they have been nominal.

Whatever their claims, they were relinquished to Japan in 1895. It is said they were relinquished with a pistol held to the head of China. That may be, but they were relinquished in a solemn treaty which was entered into between China and Japan. There can be no doubt about the fact that Japan entered into a treaty with the sovereign power that controlled the mainland of China in 1895, although a defeated sovereignty.

As happens in the settlement of wars, as a part of the spoils of war, Formosa was ceded to Japan. Surely it was done

at pistol point. In international law, however, that did not make it an illegal cession. It made it a perfectly lawful cession, sanctioned by a treaty between two sovereign nations.

Japan exercised control over Formosa until 1945, and no one questioned that control. The legal status of Formosa and the Pescadores as a part of Japan was established. Japan, in turn, relinquished control over the islands by treaty in 1951, but the legal control of the islands remained unsettled.

In the debate much has been said about the legal status of Formosa. The legal status of the island was not settled by the Japanese peace treaty; nor was it settled by the Cairo agreement. The legal status of Formosa is in suspense. In my judgment it must eventually be determined by the juridical processes of the United Nations, if we are to have a peaceful settlement of the question.

The Red Chinese have no legal title to Formosa; neither have the Nationalists; neither have we. However, we have a caretaker right to Formosa until there is an eventual juridical determination of its title. We have a duty to protect it as one of the aftermaths of the unsettled World War II. It is easy to make the assumption that World War II is settled, but there is still much to be settled about it, and Formosa is one of the problems.

If this treaty fixed the legal status, insofar as the United States is concerned, it would make clear that we recognize beyond the shadow of a doubt that Formosa and the Pescadores are a part of China. I think that is the interpretation which will be made. We walk right into it, and in my opinion that is one of the reasons why the treaty should not be ratified. It is not in the national interest for us to recognize Formosa at the present time as a part of the territory of China.

So, Mr. President, I raise this question: Is such a recognition the way to keep the islands in friendly hands? The argument may be made that it is the way, since Formosa is controlled by the Nationalist Government. But what are Chiang Kai-shek's claims to the island? Has he ever been chosen by popular vote on the island? Does his regime enjoy popular support? How did his regime get to Formosa in the first place?

These are some questions which we had better ponder before we vote to ratify this treaty, because I submit, respectfully, that when we ratify the treaty we, to all intents and purposes, recognize the claim of the Generalissimo to the island. Does anyone doubt that he is claiming it and that we are entering into an agreement with the man who claims it?

As the record of the committee will show, I asked the Secretary of State, able international lawyer that he is, if, at some subsequent date in his capacity as international lawyer, he should be representing the Nationalist Chinese Government before the World Court, he would introduce as an exhibit in evidence the treaty between the United States and the Nationalist Chinese as some proof of the claim of the Nationalist Chinese to sovereignty over Formosa. We par-

ried a bit, but I insisted on an answer to the question as to whether in an issue involving their sovereignty this treaty would not inevitably be stressed before the World Court by the Nationalist Chinese as some evidence of their sovereign rights. The Secretary of State could not and did not deny it.

There can be no doubt, Mr. President, that by this treaty we are creating evidence that will strengthen the claims of the Nationalist Chinese of sovereignty over Formosa. When we do that, I think we make trouble for the United States. When we do that, I believe we strengthen the Communist propaganda against us.

How did the Nationalist regime ever get planted on Formosa? The Nationalist Chinese Government was ordered to take the Japanese surrender on behalf of the Allied Powers in 1945 by General MacArthur. The Chinese Nationalists constituted an army of occupation, nothing more, the same as ours or the Russians or the French or the British in Germany. The Chinese Nationalist Government had no more legal right unilaterally to make Formosa and the Pescadores a part of China than we would have to make Germany a part of the United States.

Oh, it is said, "Wait a minute; what about the Cairo agreement?" The Cairo agreement gave no right to the Nationalist Chinese fleeing from the mainland of China to take sovereign control of Formosa. That is my answer. At the time of the Japanese Treaty the Nationalist Chinese were an army of occupation. They still are. The Chinese Nationalist Government, with our help, has undone some of the early damage caused by opposition within Formosa, but it can hardly claim to represent the people of Formosa. It has become less representative, year by year, with the passing of time.

We do not hear very much about the Formosans, Mr. President. It will not look well on the pages of American history that we have superimposed over several million people, natives of Formosa—the estimate varying from 4 million to 7 million—a military occupation force and required them to "take it and like it." We cannot reconcile that with our dedicated devotion to democratic processes. The Formosans did not elect Chiang Kai-shek. They never have. The average American has not the slightest idea about what the government of Formosa is under the Nationalist Chinese. The Generalissimo has been painted to the American people as a leader of democracy. He is a leader of democracy just about as much as is any dictator.

I say solemnly on the floor of the Senate, Mr. President, that we in the United States had better stop supporting police states and dictatorships around the world if we want to win the world for freedom in the areas where it must be won. We had better insist upon giving our support to democracy. That is one of the best ways we can win the fight against the dictatorship and police-state methods of the Communists.

One of the reasons, I am told by many reliable authorities, why we have not



been doing so well in India and in a great many of the other parts of Asia and elsewhere in the world, including some of the areas to the south of us, in South America, is that they give us the horse laugh when we talk about advocating the spread of democratic processes. The Generalissimo is not a very good exhibit to offer to bolster the argument that we support democratic processes.

It has been said that Chiang Kai-shek was reelected not very long ago for another term of 6 years as President. Who reelected him? The people of Formosa? Not at all. A puppet legislature which he brought with him from the mainland of China. There is just about as much democracy in that process as there is when the head of the Russian Soviet Union is elected in the Kremlin. Many of Chiang's former leaders are telling us so, because some of them are now in refuge in our own country. Some examples are T. V. Soong, President Li Tsung-jen, and K. C. Wu.

They are pretty good witnesses for me. These and others who had spent the better part of their lives in the Nationalist movement in China were finally forced to quit it. What do they tell us? They tell us that this Nationalist Chinese Government with which it is proposed that we enter into a solemn treaty, or that which some call a treaty, is no regime of democracy. There have been in this country for some years forces which have been doing everything in their power to get us involved as a nation with the Generalissimo and his regime and make the very serious mistake of backing him up on the false assumption that he is a democratic leader, and that when we back him we are backing a democratic leader for China. One of the reasons why he was driven out of China was that millions in China would not accept him as a leader because they knew how dictatorial his policies were.

When I make this argument in committee or in conference, someone may ask, "Well, would you rather have the present regime in China?" The answer is "No." Do you know why, Mr. President? Because, as I always tried to instill in the minds of my law students, there is an axiom that good lawyers never accept the argument that two wrongs make a right. That is pretty elementary.

If it is to win the fight for freedom in Asia, I say it is dangerous for my country to enter into an alleged treaty with a dictator who subsequently will use the treaty as an exhibit in support of his argument that he has sovereign rights over Formosa. Is that legalistic? It is merely sound international law doctrine; that is all; because when treaties are entered into with a government, that government's claims to sovereignty are strengthened. We shall not help our country by acting outside the framework of international law.

There must be two parties to a treaty. Who ratified this treaty for the Nationalist Chinese? The legislature; and that legislature was not elected or otherwise chosen by the people of Formosa. It is the remnant of a legislature selected at Nanking, on the mainland, before the

Nationalist Government retreated to Formosa. Yet this is the Government with which the United States is now asked to conclude a solemn treaty of mutual defense.

I am urging that we defend Formosa and that we protect Chiang and his forces in the process of doing so. But that can be done without strengthening his claim to sovereign rights over Formosa.

I have pointed out that the people of Formosa did not have anything to say about this treaty. They have not had anything to say about the legislative processes generally of the Nationalist Chinese in Formosa, because the Nationalist Government has not been a democratic regime.

I have said that different figures have been given as to the number of native Formosans, ranging from 4 million to 7 million. But let us engage in a known understatement and assume only 3 million, which is lower than any figure which has been cited to me, either by the Library of Congress or the professional staff of the Committee on Foreign Relations. Those people have some rights, too. When we begin to deal with a treaty, so-called, relating to the territory of Formosa, we should not forget that there are on Formosa natives of that island, and that our agreement in the last analysis will affect them.

I have in my hand an interesting letter which I received from a Formosan leader. I cannot disclose his name, for the reason which he sets forth in the last paragraph of the letter—and the reason is a commentary, I may say. I shall give the last quotation first, and then go to the body of his letter. He writes:

I hope you will understand me and judge the issue by right wisdom and justice.

I will appreciate if you will consider the safety of my family in Formosa in regard to dealing with this letter.

He is scared stiff that if his criticisms of the Nationalist Chinese become known in Formosa, his family would not be safe. This letter is no exception. Other Senators have had communications from leaders in Formosa who have no representation in the Nationalist Chinese Government, and who complain that we imposed an army of military occupation upon them, which constitutes, in fact, a military government, not a democratic form of government.

What does my correspondent say? He says many things, but I shall burden the RECORD with only this quotation from his letter:

Since we Formosans with our peace-loving and hearty attachment to democracy and freedom we oppose communism and control of the island by the Chinese Communists. Therefore, we all appreciate protection of the island by the United States 7th Fleet from any possible attack by the Reds. However, while keeping Formosa free from Communist invasion is one thing, putting Formosa under the totalitarian despotism of the Chinese Nationalists is the other. I like you to know that it is long-seeking desire of all native Formosans to be free from both Chinese Nationalists and Communists. I would also like you to investigate what has been doing on the island of Formosa where even people's minimum right and freedom have been deprived by the Nationalist regime.

Shall we enter into a treaty with that regime? Not with my vote, because I do not think such a regime is deserving of the sanctity which would be accorded it by the ratification of a treaty. If it be given, it will strengthen its claim of sovereignty over the island, and we shall not be writing into the treaty any reservation about that; we shall simply be writing into a committee report some legally worthless fine print which does not change one iota the legal import and effect of the treaty.

As I said yesterday, it represents but a confession that we do not mean what we say and do not say what we mean in the treaty. I think that when the Senate writes and ratifies a treaty, we should mean every word we say in the treaty, and we ought to say everything we mean in the treaty, no matter how many reservations it may take, and no matter what delay may be involved.

My next argument is in the form of a question: Is it in the interests of the United States to conclude a treaty with the Nationalist Government of China controlling some 6 or 7 million people, among whom they and their soldiers are practically aliens? Have the Formosans ever had an opportunity to express their sentiments about this Government? Is it in the interests of this country to substantiate the legal claim of the Chinese Communists to Formosa and the Pescadores by making this treaty which would clearly recognize the islands as a part of China, and thus subject them to the outcome of the Chinese civil war? Is this the way to keep Formosa and the Pescadores in friendly hands? I do not think so. That is why I think the treaty is a mistake.

Along that line, I offer as opinion evidence some of the comments contained in an article entitled "Questions on the Formosa Treaty," written by Herbert Elliston, and published in this morning's Washington Post and Times Herald. Mr. Elliston and I, as the debate has shown in recent days, disagree on many aspects of Asiatic problems as they have been raised both by the resolution and the treaty; but we do agree on many. We certainly share the fears in regard to the threat to peace the islands of Quemoy and Matsu constitute in that area. We now find ourselves in agreement, as represented by Mr. Elliston's article this morning, on the point I have just been discussing. Listen to his concluding paragraph:

What I suggest is a reservation of some kind, saying that it is the sense of the Senate that the sovereignty over Formosa is still vested in the Allies for disposition in conformity with all the interests and parties concerned.

Mr. President, I ask unanimous consent to have the entire article by Mr. Elliston printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### QUESTIONS ON THE FORMOSA TREATY (By Herbert Elliston)

Since more than a few Senators voted for the joint resolution on Formosa with some misgiving, and since the same Senators have

been holding their breath with apprehension over the possibility of an armed collision in the straits, it behooves them to take a close look at the mutual defense treaty with Chiang Kai-shek's regime prior to ratification.

Secretary Dulles takes issue with the view that this treaty would confer sovereignty over Formosa on the National Government headed by Chiang Kai-shek. The view has been put in memorandum form by Benjamin Cohen, and circulated, though not sponsored, by the Democratic National Committee.

To the layman the Cohen thesis looks incontrovertible. How can you sign a treaty with a government without recognizing that it has a habitation as well as a name? There were the emigre governments in wartime, of course; yet we maintained our recognition of the sovereignty of which Hitler had deprived them. This, you may say, is how we regard what Mr. Dulles, in his exchange with Foreign Minister George Yeh, calls Free China. Yes, but this particular treaty has nothing to do with mainland China and, indeed, is intended (as everybody knows) to disengage us from Chiang Kai-shek's ambitions on the mainland. The treaty refers only to Formosa and the Pescadores. Surely, then, it implies an extension of Free China's sovereignty to Formosa.

There's the snag—implies. Secretary Dulles by way of answer to this point says that nowhere in the treaty is the word sovereignty used, and that the text, moreover, does not carry that implication. That is true enough. On this reasoning, granted the purpose is to wind up Chiang Kai-shek's counterrevolution or liberation (or our connection with it), we have made a solemn compact with a government-in-the-sky, a government with no legitimate site on the mainland or in Formosa.

Here is a reductio ad absurdum. Clearly the Nationalist authorities in Formosa would never have signed the present instrument if they shared Mr. Dulles' interpretation of it.

Sophistry has long been the complaint about Mr. Dulles. He put the idea in the heads of most of the correspondents at the 1951 peace conference with Japan at San Francisco that Japan would recognize the Chiang regime as representing all China. I made a bet (unpaid) with several of the correspondents that this was not so. At the same time the British contend they were assured that the Japanese were left perfectly free to do what they liked about Chiang Kai-shek. To this day Herbert Morrison, the then British Foreign Minister, thinks he was "had." Both the correspondents and the British were misled. All the time in San Francisco Dulles was carrying in his pocket an exchange of letters with former Premier Yoshida pledging recognition of Chiang Kai-shek only over the territory he controlled.

In a recent book on 19th century diplomacy, A. J. P. Taylor says "diplomacy is an art which, despite its subtlety, depends on the rigid accuracy of all who practice it." The practitioner of a different art is bound to lose influence. Mr. Dulles is so legalistic that none can split a finer hair than he. To the layman this kind of negotiation comes perilously close to the disingenuous. It is wrong in every sense of the word if the parties to a transaction are not at one over the meaning of it. And, if Mr. Dulles says that the Mutual Defense Treaty does not concede sovereignty over Formosa to Chiang's regime, he will be gravely deluding the only other party to the compact.

We shall be grossly unfair to Chiang Kai-shek if we allow him to be deluded. And we shall be inviting trouble if we do not tell him. Nor will the trouble be limited to the outraged Nationalists. Throughout the world our diplomacy will be attended with suspicion. So as to avoid all this, the meaning we attach to this treaty ought to be

made clear. The Senate can see to it that what according to Mr. Dulles is implicit in the treaty is made explicit in words.

What I suggest is a reservation of some kind, saying that it is the sense of the Senate that the sovereignty over Formosa is still vested in the allies for disposition in conformity with all the interests and parties concerned.

Mr. MORSE. Mr. President, I say for the record that I completely agree with Mr. Elliston's conclusion. He does not accept, and I think rightly so, the rationalization that this very troublesome problem can be covered by writing some fine print in a committee report which is not a part of the treaty. He suggests that our action ought to be by way of reservation, and I am going to submit such a reservation later.

I respectfully urge, Mr. President, as my next point, that the argument that this treaty does not affect the legal status of Formosa will not face analysis. The committee majority senses the implications of this treaty with respect to the legal status of Formosa. That is why they saw fit to include in the report the following statement:

It is the understanding of the Senate that nothing in the treaty shall be construed as affecting or modifying the legal status or sovereignty of the territories to which it applies.

That is highly unusual procedure. I am advised, from the study which has been made for me of Senate procedures, that not many precedents for such an understanding can be found. The place to indicate an understanding on the part of the Senate is hardly in a committee report; the place to indicate it is in the resolution for ratification.

Why not indicate it there? I will tell my colleagues why it is not indicated there. The precedents of the Senate for the most part have been along the line of indicating an understanding in the body of the treaty rather than in the resolution for ratification, and the precedents of the Senate were followed, the argument might be made that the Senate would be faced with a prolonged, acrimonious debate, and that the Senate would be greatly split, which would reveal a lack of unity. I do not know whether we would be helping our country at all by endeavoring to cover up indications of disunity with some fine print in the committee report. There is no unity in the Senate on the point of sovereignty over the territory covered by the treaty. What exists in the Senate is a point of view that we are confronted with a serious reality. The fat is in the fire. That fire is not going to be put out by pouring gallons of gasoline on it in the form of language which does not say what we mean, where it ought to be said, in the language of the treaty itself.

Of course there is disunity in the Senate. If there should be included in the treaty language which would strengthen the claim of the Generalissimo to sovereign rights over Formosa, there would be strong opposition by Senators who believe it would be a mistake to do anything to strengthen that claim, and the Senate would split wide open. That is what many of my colleagues person-

ally believe, and I guess they think I am politically foolish to stand on the floor of the Senate and make this fight for what I believe. I think they ought to be agreeing with me on the floor of the Senate, as well as in the cloakroom.

That is why I say, Mr. President, that the place to indicate that we do not intend to strengthen the claims of sovereign rights of the Generalissimo over Formosa is in the body of the treaty. I think it belongs in the body of the treaty rather than in the resolution of ratification.

Even if a reservation were added, the legal effect of the reservation would be dubious unless it were subsequently accepted by the Chinese Nationalist Government. That is where the shoe starts to pinch, because my colleagues who believe with me that we ought to make it very clear to the world that we are not recognizing any sovereign rights of the Nationalist Chinese over Formosa know that if language to that effect were put into the treaty we would have trouble in getting the Generalissimo to accept the treaty. That is the test of the pudding. That is what we ought to find out. If anyone has a question as to what the Generalissimo thinks his sovereign rights are, offer him a treaty which says in effect that we do not recognize any sovereign rights of his in Formosa.

What does this argument of mine mean, Mr. President? It means that if we were to "rope" what is contained in the committee report into the body of the treaty, we would not get the Nationalist Chinese to accept the treaty. I simply ask: Is that fair dealing either with the Nationalist Chinese or with the American people? I do not think it is. To sum it all up, I cannot square up with principles of right dealing the writing into a committee report of language which we know we could not get the other party to the treaty to accept if that language were written into the body of the treaty.

Whom are we trying to kid? We will not kid the American people once they come to understand the significance of this argument, because the average American citizen is going to agree that every treaty ought to say what it means that mean what it says. If it be true that recognition or nonrecognition of any sovereign rights of the Generalissimo over Formosa is what is being endeavored to be protected, we ought to say that both to the Generalissimo and to the American people in the treaty. The treaty is what is going to become the law, not the committee report.

Without such a reservation, however, the Senate is going on record in international law as recognizing finally and indisputably that Formosa and the Pescadores are a part of China. If tomorrow the Chinese hands that hold Formosa are unfriendly rather than friendly, we will have no one to blame but ourselves for accepting the treaty without a reservation as to the legal title to Formosa.

If that question should be placed before the World Court for juridical determination, let me predict that there would be a unanimous decision against us on



the part of any man who is entitled to be called an international judge. Control could change in Formosa. God forbid that it will. I believe we have the power to prevent such a change and I am for using the power to prevent it. But we are still talking in terms of a hypothesis. If that should happen, I respectfully submit that this so-called treaty would be a recognition on our part that Formosa belongs to Nationalist China. We have no legal right to do that, as I said before.

Much has been said about the three understandings included in the committee report. I am convinced that in any case before an international court these so-called understandings would have absolutely no legal effect. They may represent the views of the committee, but they have no validity in international law.

One of the arguments made by my opposition in this debate is that the treaty is necessary to sustain the morale of the Nationalist Chinese. The way to sustain the morale of an ally is not by pampering him, but by calling on him to face realities and helping him to meet those realities.

Those who argue for this treaty contend, in effect, that the morale of the Chinese Nationalists will be destroyed if we do not make it clear that Formosa and the Pescadores are a part of China. That is the same argument which was made in favor of including the offshore islands in Public Law 4. It is the same argument which is made in favor of including in this treaty the phrase "such other territories as may be determined by mutual agreement."

Mr. President, let me make clear that I have as much sympathy as does anyone else for the sincere Chinese Nationalists who have suffered because of Chinese Communist tyranny. The Nationalists fought with us in World War II, and many of them believe in the same form of government in which we believe. But they have not been given by their leaders an opportunity to enjoy that form of government.

Let me make clear, also, that during and after World War II they fought for their own interests, not for ours. If we must fight, I say it is better that we fight for our own interests, not for theirs. Which would be worse for the morale of the Chinese Nationalists—to hold out false hopes to them or to ask them to face the realities?

If our purpose is to keep Formosa and the Pescadores in friendly hands, and if, at the same time, we do not intend to become involved in the Chinese civil war—or do we?—then we should say in this treaty—or else have no treaty at all—that the Chinese Nationalists do not have sovereign rights in Formosa. Furthermore, if they are not false hopes, then the language of the treaty can only mean that we intend to put Chiang Kai-shek back on the mainland of China and to expend the blood and effort which it will be necessary for us to expend in order to keep him there.

In my opinion, the treaty, as presently phrased, does not constitute the way to peace in the Far East or the way to keep Formosa and the Pescadores in friendly

hands. There is a way to do that, and that is to make clear the following points:

First, our national policy must not be to covet Formosa and the Pescadores for ourselves, but to remain steadfast in the determination to keep Formosa and the Pescadores in friendly hands, and away from the Communists. Let us use whatever weapons we must to maintain that policy, and let us give the President our full backing in their use.

Second, our national policy must be to encourage a cease-fire in the Formosa Straits on terms which will insure the achievement of that kind of a solution.

Third, our policy must be one which will keep faith with the traditions of our country. This calls for an open, above-board, direct, honest policy and I believe it offers the best hope for peace in Asia.

Mr. President, the last point I wish to cover in this argument, before I offer my two reservations, deals with article VI of the treaty, which provides that—

For the purposes of articles II and V, the terms "territorial" and "territories" shall mean in respect of the Republic of China, Taiwan and the Pescadores; and in respect of the United States of America, the island territories in the West Pacific under its jurisdiction. The provisions of articles II and V will be applicable to such other territories as may be determined by mutual agreement.

The last sentence is the one which disturbs a great many of us. It is the sentence which has given rise to the so-called discussion of the Cohen argument which was referred to by Mr. Elliston, in his article which appeared in the press this morning, and which I have already introduced into the CONGRESSIONAL RECORD.

I now ask unanimous consent to have printed at this point the two memoranda Mr. Cohen prepared, which were used as a basis for discussion by a number of Senators. I do not agree with the memoranda in their totality—as is shown by a good many of my arguments on both the joint resolution and the treaty. However, I do agree with the thesis of the memoranda, in respect to the matter of sovereignty and in respect to the last sentence of article VI of the treaty.

So, Mr. President, I now ask unanimous consent to have the two memoranda printed at this point in the RECORD, as a part of my remarks.

THE PRESIDING OFFICER (Mr. McNAMARA in the chair). Is there objection?

There being no objection, the memoranda were ordered to be printed in the RECORD, as follows:

#### MEMORANDUM ON THE PROPOSED MUTUAL DEFENSE TREATY WITH THE REPUBLIC OF CHINA

1. This memorandum raises some questions concerning the desirability of the ratification of the recently negotiated Mutual Defense Treaty with the Republic of China.

It should be stated at the outset that this memorandum does not question (1) the vital importance to the United States of having Formosa and the Pescadores remain in friendly hands, or (2) the policy of defending these islands from unprovoked armed attack. The purpose of the memorandum is to consider whether the proposed Mutual Defense Treaty on balance will aid or embarrass the United States in protecting its

vital interests in Formosa and the Pescadores, in deterring any armed attack on those islands, and in opposing such attack if it occurs.

2. The proposed Mutual Defense Treaty, if ratified, would for the first time constitute a formal recognition of Formosa and the Pescadores as territories of the Republic of China. Heretofore, the United States has been careful to avoid any formal recognition of the transfer of these islands to China and to reserve a high degree of freedom in regard to its position on the future status of these islands. Under the Japanese Peace Treaty, Japan gave up all claim to these islands but no attempt was made to define their present or future status.

It is true that the Cairo declaration which was reaffirmed in the Potsdam proclamation, asserted the purpose of the representatives of the United States, the United Kingdom, and Nationalist China to restore Formosa and the Pescadores to the Republic of China. But such purpose has not yet been carried out by any duly ratified peace treaty, and much has happened in the meanwhile. The situation has been so altered on the mainland of China as to raise grave doubt whether that purpose can now be carried out, as it was assumed it could be, with due regard to the principles of the Atlantic Charter and the Charter of the United Nations. The mainland of China has become involved in civil war and revolution, and the involvement of Formosa and the Pescadores in that civil war and revolution was neither foreseen nor contemplated at the time of the Cairo declaration. Such enforced involvement without regard to the wishes and interests of the people of these islands could not be reconciled with the principles of self-determination.

3. The formal recognition of Formosa and the Pescadores as territories of the Republic of China would give substance to the claim of the Chinese Communists that an armed attack on these islands is not international aggression on their part but civil war in which the right and purpose of other nations forcibly to intervene would be open to serious doubt and question. Formosa and the Pescadores are in fact at present separate and independent of the mainland of China. It would seem to be very definitely not only in the interest of the United States but in the interest of peace to keep them separate and independent and not to enmesh them inextricably with the rights and claims of the mainland of China. It has been stated in the press that Chiang Kai-shek has given assurances that he would not engage in provocative attacks on the mainland, but such assurances are not found in the text of the treaty. Indeed it would be very awkward by treaty to impose restraints on the exercise of sovereign rights in China proper by any government claiming to be the lawful government of all China. Assurances outside the text of the treaty will be subject to debate, shifting executive interpretations and waivers. A China whose rights to Formosa and the Pescadores are recognized, cannot be expected to forswear its rights to the mainland of China. But what is more important, a China which controls the mainland will most assuredly assert its rights to Formosa and the Pescadores if those islands are formally recognized as territories of China. What we recognize as territories of Chiang's China, other countries including our allies which recognize Mao's China, may feel compelled to recognize as territories of Mao's China.

4. The formal recognition of Formosa and the Pescadores as territories of the Republic of China will gravely embarrass, if not preclude, efforts by the United States and by the United Nations to consider in the future any status for Formosa and the Pescadores other than as territories of the Republic of China. But it would seem very unwise for

the United States at this time, with the mainland of China under Communist control, to tie its hands so that it would not be free to consider an independent status or possibly even a United Nations trusteeship for these islands if such alternatives should prove feasible and advantageous. Since Communist control of the mainland of China is not likely to be broken for some time, it would seem to be in the interest of the United States to favor and work for the separation of Formosa and the Pescadores from the mainland, at least for the time being. Any treaty which inseparably ties these islands to the mainland would seem to be detrimental to the interests of the United States in this area.

5. Most of our friends and allies want to have peace, not war, in the Straits of Formosa. It would probably be possible to evoke wide support in the United Nations and throughout the free world for the calling of a cease-fire by the United Nations in the Straits of Formosa. Many nations, including nations which have recognized Red China, probably could be induced to support a cease-fire which would preclude the uniting of Formosa and the Pescadores with the mainland by force. It would, therefore, seem to be in the interest of the United States to separate Formosa and the Pescadores from the power struggle for control of the mainland of China and to base our position on the United Nations Charter which forbids the use of force in international relations and calls for peaceful settlement of international disputes and the right of self-determination of peoples. This would seem to be the best, if not the only, way of harmonizing our positions and that of our friends and allies and of avoiding grave risks of becoming involved in war without their support and assistance. This would not involve the dispossession of Chiang from Formosa unless the people of Formosa insisted on it. It would seem that Chiang would have a better chance to retain the favor of the people of Formosa if he did not involve them in war with the mainland.

6. In his statements in support of the proposed mutual defense treaty with the Republic of China, (Department of State, press release No. 686, December 1, 1954), Mr. Dulles contends that this treaty is similar to the defense treaties made with the Republic of Korea, Japan, the Philippines, Australia, and New Zealand, and he particularly stresses the similarity between the Korean treaty and the proposed treaty. But there are vital differences in the situations with which the two treaties deal.

Our recognition of the Republic of Korea on January 1, 1949, was based on the United Nations General Assembly resolution of December 12, 1948, which declared "that there has been established a lawful Government (the Government of the Republic of Korea) having effective control and jurisdiction over that part of Korea where the temporary Commission was able to observe and consult and in which a great majority of the people of all Korea reside; that this Government is based on elections which were a valid expression of the free will of the electorate of that part of Korea and which was observed by the temporary Commission; and that this is the only such Government in Korea."

Mr. Dulles does not mention the practical limitations which we have placed on our recognition of the Republic of Korea when he states that "we recognize the Republic of China as the only lawful Government of China, just as we recognize, and the United Nations recognizes, the Government of the Republic of Korea as the only lawful Government in Korea." We and the United Nations have never recognized the right of the Republic of Korea to extend its effective control and jurisdiction by force to other parts of Korea, and it is clear, therefore, that any attempt on the part of the Republic of Korea to do so by force would be contrary

to article 1 of the mutual defense treaty which forbids the use of force in any manner inconsistent with the purposes of the United Nations.

It is not at all clear that any attempt by the Republic of China to extend its effective control and jurisdiction from Formosa to the mainland of China would be contrary to article 1 of the mutual defense treaty with the Republic of China.

Asked whether the treaty recognized on our behalf the claim of the Republic of China to sovereignty over the mainland, Mr. Dulles replied that "it does not deal specifically with that matter one way or another." Asked whether there is any understanding in connection with this treaty that the Chinese Nationalists before attacking the mainland must consult with us and act only by agreement with us, Mr. Dulles replied that "we expect that there will be worked out practical arrangements so that neither will take action in this area which would jeopardize the other and that we would generally act in an agreed pattern of conduct. Having undertaken to defend the islands, we would not expect, nor would the Chinese Nationalists expect to act rashly in a way to jeopardize the islands. We anticipate that under the operation clause of the treaty there will be a good deal of consultation and agreement as to just how the situation is to be handled."

Mr. Dulles' remarks in no way suggest that an attack on the mainland by the Chinese Nationalists from Formosa would be contrary to article I of the treaty. Mr. Dulles' remarks in no way suggest that the policy announced in the state of the Union message of 1953 regarding noninterference by the 7th Fleet with attacks on the mainland by the Chinese Nationalists from Formosa has in principle been abandoned.

To make the proposed treaty at all comparable with the Korean Treaty it would have to be amended, or subjected to reservations, to make clear that the Republic of China in Formosa and the Pescadores would not attempt to extend its effective control and jurisdiction by the use of force from areas now thereunder to areas not now thereunder, and that any such attempt would be regarded as contrary to article I of the treaty.

7. While there may be countervailing arguments, the above considerations would seem to suggest that the proposed Mutual Defense Treaty with the Republic of China, in its present form, would on balance embarrass rather than aid the United States in protecting its vital interests in Formosa and the Pescadores and in avoiding war in that area. It would seem that the treaty as presented would be more of an obstacle than a help in working for a peaceful settlement in the Formosan Straits in the interests of the United States, the United Nations, the inhabitants of the islands, and world peace. It would seem highly desirable before attempting to agree on any mutual defense treaty for this disturbed area to seek through the United Nations to obtain a cessation of armed hostilities in the waters between the mainland of China and Formosa and the Pescadores, so that it will be clear that we are seeking peace and not trying to shield Formosa and the Pescadores while attacks on the mainland are in course of preparation there.

#### NOTE TO EARLIER MEMORANDUM ON THE PROPOSED MUTUAL DEFENSE TREATY WITH THE REPUBLIC OF CHINA

(Prepared by Benjamin V. Cohen)

The joint resolution passed by the Congress for the defense of Formosa reinforces the validity of the contention that a treaty is neither necessary nor helpful to the defense of Formosa. Certainly it would be unwise to tie our hands by a treaty which might stand in the way of our giving the fullest cooperation to the efforts of the United Na-

tions to obtain a cease-fire and a peaceful settlement in this troubled area of the world.

If there should be further efforts to secure the ratification of the treaty, there should be, particularly in light of the recent debate on the joint resolution, thorough consideration and discussion of the last sentence of article VI of the treaty which reads:

"The provisions of articles II and V will be applicable to such other territories as may be determined by mutual agreement."

This provision would enable the President by agreement with the Republic of China to extend the scope of the principal articles of the treaty to any or all of the islands off the shore of the mainland of China and even to the mainland of China itself without the advice and consent of the Senate or the approval of Congress. Any such extension of the treaty could radically change and transform the nature of the treaty and impose new and grave responsibilities on the United States. The provision is a dangerous and unprecedented delegation of the treaty-ratifying power of the Senate, without specification of any standards to govern the exercise of the delegated power. The President, for example, could extend the treaty to the islands off the mainland or the mainland itself even in the absence of, or unrelated to, any imminent attack on Formosa.

This provision underlines the danger pointed out in the earlier memorandum of tying the defense of Formosa by treaty with a state whose claims to the mainland and islands off the shore thereof may involve us in war not in defense of Formosa but in defense of that state's claims to the mainland.

It may possibly be urged by the proponents of the treaty that this provision was inserted in the treaty only to reassure the Republic of China that the specification of certain territories in the treaty did not preclude its claims to other territories—that is, the mainland and the offshore islands—and that the President has no intention of enlarging the territorial scope of the treaty under existing circumstances. But if it is unreasonable to expect that the President would extend the treaty under present or immediately foreseeable circumstances, it is equally unreasonable, and unwise and unnecessary, to delegate to him any such power. If there should be a radical change in the situation not presently foreseeable, certainly the scope of the treaty should not be extended and the defense responsibilities of the United States enlarged, without the advice and consent of the Senate or without the approval of the Congress.

Mr. MORSE. Mr. President, before the Cohen memoranda, not a word was heard about having to bring back to the Senate, for its advice and consent, any agreements made under this article. When the State Department released its first memorandum on the treaty, it did not say so. But after Mr. Cohen—who, as we in the Senate know, was formerly a legal counsel in the State Department—prepared his first memorandum, the State Department then for the first time took the position, through the Secretary of State, that any such mutual agreements would have to be considered an extension of the treaty, and would constitute, in effect, a new treaty, and would have to come to the Senate for its advice and consent.

Then why is that sentence in the treaty? The major argument, which has been advanced—and I have studied their arguments and their transcript and their memoranda—is that it is in other treaties. But it was in other treaties when there was no question about the sovereign rights of the party on the



other side. It has been in other treaties with governments which were not involved in civil wars. It has been in other treaties with governments which did not raise the great concern that the Nationalist Chinese raise all over Asia, within the boundaries of the countries friendly to us. And that sentence is just so much surplusage in all those treaties, as it is in this one, too.

I am told that we should include that agreement in this treaty because it is in other treaties. I am told, "If it is not included in this treaty, we might hurt the feelings of Chiang Kai-shek."

Well, Mr. President, the State Department would leave that language in the treaty, although the treaty does not include clear language by way of a reservation requiring the advice and consent of the Senate. Furthermore, that language would not stifle the fears of the Asians, to whom we could not very well explain the situation about our processes in connection with treaty formation and ratification. I say that because their spokesman then would say, "The United States has entered into a treaty with Chiang, not only covering the territories included in article V and article II, but in article VI, the United States has said that the provisions of the treaty could be extended to such other territories as may be determined by mutual agreement."

That language scares them; they are afraid of it. They are as worried about that language as they are about the ambiguous language in the joint resolution which is Public Law 4, authorizing the President of the United States to take such other measures as in his judgment he decides to be necessary.

I think we should either make that language clear in the body of the treaty or we should remove it from the treaty, because in this case the situation is different; an agreement with the Government of Nationalist China is different from agreements with recognized sovereign powers which our friends do not fear, whereas so many of our friends fear what Chiang Kai-shek may do, insofar as concerns the potentialities or the probabilities of his getting us involved in armed warfare on the mainland of China.

Our friendly allies in Asia are going to ask the question, "Does it mean the Quemoy and the Matsus? Is this simply another case of dangling at the end of a diplomatic string a concealed threat or promise on the part of the United States that it is going to back up Chiang if he makes an effort to retake the mainland of China?"

I should like to have the proponents of this treaty pause long enough in the rush to get it through the Senate to let the American people take a poll on whether or not they think we ought to support the Generalissimo in any attempt to retake the mainland of China. They would be snowed under in such a poll. The American people are not in favor of supporting the Generalissimo in any attempt to regain the mainland of China. I am convinced that the overwhelming majority of the American people are not in favor of our becoming involved in a war between the Generalissimo and the Chinese Reds on the main-

land of China. I think we would better protect the calculated risks of peace by taking that language out than by leaving it in. I so proposed in the committee, and I was voted down overwhelmingly. However, some fine print was written into the committee report.

The proponents of the treaty know that my argument is troublesome. It is not answered by categorical denial. They know also that it is not answered by saying, "But we have it in some other treaties." It was just so much surplusage in those treaties, if the State Department means what it now says about this language, as it is in this treaty. I think we ought to stop writing surplus language into treaties.

Mr. President, I appreciate very much the consideration of the Senate in permitting me to make this record of my position on the pending treaty. I am willing to be judged by history and future events, as to the soundness of my argument. I would that we all could come back some 50 years hence and sit as observers at a session of the World Court and hear its judgment in a case involving an interpretation of the language to which I am taking exception in my argument this afternoon. I think we would hear at that time a judgment which would represent a finding that this treaty is outside the framework of existing international law.

I have opposed the treaty because I believe it increases the danger of war. I have opposed the treaty because I believe it complicates the final determination of juridical rights to Formosa. I have opposed the treaty because I think it indirectly places in the Nationalist Chinese a sanction upon the sovereign rights over Formosa. I have opposed the treaty because I do not think we should enter into a so-called treaty with a government in Formosa which is a government of military occupation, which we, in effect, have helped to impose upon millions of native Formosans, without their having any right to self-government in connection with such imposition.

I have opposed the treaty because I think it is not good international law, and is not, in fact, a treaty at all, but an agreement of military alliance with a Chinese leader who is involved in a civil war in China.

In closing, I send to the desk, to be brought up at the appropriate time, two reservations. I understand that the Senator from New York [Mr. LEHMAN] would like to be a cosponsor with me of these reservations.

Mr. LEHMAN. I am very glad indeed to join as a cosponsor.

Mr. MORSE. I am proud to accept his cosponsorship, because I consider the Senator from New York one of the most courageous statesmen living in America today. He has stood shoulder to shoulder with me in a difficult debate, in which it has not been easy to participate. He has been motivated by the same dedicated purpose, believing that it is our duty to represent our constituencies in the Senate in accordance with the dictates of our conscience and what we believe is in the best interests of our country.

The first reservation reads as follows:

The Senate advises and consents to the ratification of this treaty with the understanding that the last sentence of article VI of the treaty shall have no force or effect.

The second reservation goes to the matter of sovereignty.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LEHMAN. I wish, first of all, to say that the Senator from Oregon has made, in my opinion, a great speech—a very great speech. He has laid down, with his usual cogency and clarity, the basic arguments against this treaty. I would like also, Mr. President, to express my appreciation to my friend and colleague, the senior Senator from Oregon, for his very generous comments with regard to me.

I am very proud, indeed, not only to be a cosponsor with him of the reservations he has submitted, but to have had the opportunity of working closely with him over the years in what we believe to be the best interests of the people. Members of the Senate on both sides of the aisle well recognize the patriotic service rendered to all the people of the Nation by the distinguished Senator from Oregon—his brilliance of mind and his courageous patriotism and dedication to the national interest.

Mr. MORSE. Mr. President, let me say to the Senator from New York that nothing could be said about me by anyone in America that I would appreciate more than what he has just said. It is a statement which I shall always be very proud to have my descendants read.

As I read the second reservation, I should like to ask the distinguished Senator from North Dakota [Mr. LANGER] to give consideration to the question whether or not he wishes to join in cosponsoring these two reservations. The second reservation reads as follows:

The Senate advises and consents to the ratification of this treaty with the understanding that nothing in the treaty shall be construed as affecting or modifying the legal status or sovereignty of the territories to which it applies.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LANGER. I join in the sponsorship of the reservations which the Senator from Oregon has submitted. We have discussed this question previously.

Mr. MORSE. Mr. President, let the RECORD show that the Senator from New York [Mr. LEHMAN] and the Senator from North Dakota [Mr. LANGER] join in the cosponsorship of both reservations.

Let me say to the Senator from North Dakota, as I said to the Senator from New York, that it has been a matter of pride with me to be associated with him as a very small minority in our fight both against the joint resolution and the treaty because of the fact that he, too, joins with us in our belief that it is not in the public interest to have the treaty or agreement ratified.

Mr. LANGER. Mr. President, I thank the Senator. I join in everything the distinguished Senator from New York has said about the Senator from Oregon.

Mr. MORSE. The Senator is very kind, and I thank him.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. O'MAHONEY. Let me say, first, that I have heard many Members of the Senate, without regard to partisan division, express sentiments very similar to those which have already been made a part of the RECORD today. The Senator from Oregon enjoys throughout the Senate a reputation for veracity, ability, and patriotism which is unexcelled.

Mr. MORSE. I thank the Senator.

Mr. O'MAHONEY. I did not rise, however, to ask the Senator to yield in order to pay that feeble compliment. I asked the Senator to yield during the course of his remarks when he was discussing the nature of the treaty. I have found two definitions of a treaty which I think might be appropriate at that particular point.

Mr. MORSE. I should like to have the benefit of the legal research of one of the ablest lawyers in the Senate.

Mr. O'MAHONEY. I thank the Senator. I should like to read from a decision of a great Chief Justice, John Marshall, in the case of *Foster and Elam* against Neilson, reported in volume 2, Peters, at page 314:

A treaty is in its nature a contract between two nations.

A few years after the decision by Chief Justice Marshall, Associate Justice Miller, of the Supreme Court, stated, in one of the *Head Money* cases:

A treaty is primarily a compact between independent nations.

That quotation is found in *One Hundred and Twelfth United States Reports*, at page 598.

The nature of a treaty could not be more explicitly stated than it is in the words of those two great Justices of the United States Supreme Court.

Mr. MORSE. Mr. President, I completely agree with the Senator from Wyoming. It is an excellent documentation for the first point I made in my argument this afternoon. I do not believe the so-called treaty meets the test of a treaty, and does not come within the definition of a treaty.

Mr. O'MAHONEY. I see no reason why the Senate should pretend to the people of the country that it is a treaty.

Mr. MORSE. Neither do I.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD, a letter I have received from one of the cochairmen of the Brown County Young Republican League, of Aberdeen, S. Dak., supporting my position on the Asiatic issue.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BROWN COUNTY YOUNG

REPUBLICAN LEAGUE,

Aberdeen, S. Dak., February 4, 1955.

The Honorable WAYNE MORSE,

United States Senate,

Washington, D. C.

DEAR SENATOR MORSE: In regard to your actions concerning the Formosan resolution. It is men like you, sir, that preserve the sanity of our Government, and give me a sense of security in these trying times.

Never lose your determination to be righteous, and above all your sense of conviction. You, sir, are an individual, and a tribute to the fundamentals which has made your country and my country great. You are a check, and a balance, against the rashness of less sensible men.

Very sincerely,

CY D. RICHARDS.

Mr. KERR. Mr. President, I rise to state that I shall vote for the treaty. I shall do so even though I realize it is not perfect. I shall do so without the conviction or statement that it cannot be improved upon. I shall do so, Mr. President, because I believe it is the best alternative available to us at this time. I believe it is a declaration of the foreign policy of the President of the United States, who is the only identity who can formulate and carry out a foreign policy for the United States.

I shall vote for the treaty because I think it is consistent with the foreign policy of our Government for a number of years. I shall do so because I think it is consistent with the declaration of the position of this Government, made by statements of the Chief Executive—both the present one and the one preceding him—and because it is consistent with the statements of most of the leaders of the legislative branch of the Government.

I shall vote for the treaty because I believe failure to ratify it would amount to a repudiation of statements which have assumed the dignity of commitments, and of actions by the Congress of the United States in support of those statements. I shall vote for the treaty because I believe that under all the circumstances it will add to the security of our country.

#### THE PRESIDENT'S PLAN TO IMPROVE EDUCATIONAL FACILITIES

However, in doing so, I am aware of the fact that there are many things which I believe our country must do to add to its security and to insure its survival.

I was glad that on yesterday the President of the United States sent a message to Congress on the subject of education. I do not believe there is any effort which the Government and the people of this country can make which is more necessary to insure the security and welfare and survival of this Nation than the effort to meet the needs for better educational opportunities of the youth of our country. I do not believe that there is a more important element in an overall and sufficient program of national defense than a program that will provide the opportunity for a better educational privilege for all the children of all our people.

In his message the President set forth some lofty and eloquent language. After he advocated giving to the schoolchildren of the country, as quickly as possible, the classrooms they must have, he used the following language:

Because of the magnitude of the job, but more fundamentally because of the undeniable importance of free education to a free way of life, the means we take to provide our children with proper classrooms must be weighed most carefully. The phrase "free education" is a deliberate choice. For unless education continues to be free—free

in its response to local community needs, free from any suggestion of political domination, and free from impediments to the pursuit of knowledge by teachers and students—it will cease to serve the purposes of freemen.

The American idea of universal public education was conceived as necessary in a society dedicated to the principles of individual freedom, equality, and self-government.

Mr. President, I wish that the program given us by the Chief Executive as a means of achieving those lofty aims had the same high quality as his statements of the aims themselves. However, such is not the case.

I believe the President's message is one that is easily misunderstood. It should be made certain, and the confusion should be dispelled.

As illustrative of the confusion, one of the great newspapers of the United States, the *New York Times*, in its issue of today, has this headline on the front page: "Eisenhower Asks \$7 Billion Program to Build Schools—Message to Congress Urges Federal-State-Local Plan for Grants and Loans."

Many persons reading that headline will get the impression that the President has asked Congress to provide a \$7 billion program to aid in the construction of public schools. No greater error than that could be made, Mr. President. As I read the President's message, the only request I can find for a grant by the Federal Government to help in providing public schools is contained in this sentence:

I recommend that the Congress authorize the appropriation of \$200 million for a 3-year program.

As I read the message, Mr. President, I am persuaded that its entire purport and the proposals made therein are as inadequate to meet the needs to which it refers and which it describes as would be his requested authorization of \$200 million in meeting the program the necessities of which have a minimum requirement of \$7 billion.

Mr. President, I appreciated the editorial in today's issue of the *Washington Post* and *Times Herald*. The editorial is headed "Half a Loaf." I ask unanimous consent that at this point in my remarks the editorial may be set forth as it appears on the editorial page of the *Washington Post* and *Times Herald*.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### HALF A LOAF

The President's education message is an attempt to apply a poultice to a cancer. It recognizes the disease—"a deficit," as the President put it, "of more than 300,000 classrooms" in the physical facilities for learning available to the Nation's children. This recognition is a significant step forward and renders a most valuable service to the Nation. But the remedy proposed by the President seems to us hesitant, temporizing and inadequate.

Mr. Eisenhower's hesitation grows out of a fundamental misapprehension. He fears that Federal aid to State public school systems may introduce an element of national interference in local activities which ought to be kept resolutely independent. But the fear is an unreal one. The



proposals for Federal aid put forward by the appropriate committees of the House and the Senate obviate any danger of Federal control. They offer financial assistance from the Nation because the problem is a national one and because the States lack the resources to meet it; but they carefully preserve local responsibility and local independence.

Instead of a program of direct and simple financial aid to the States, Mr. Eisenhower has proposed a complicated system under which the States and the Federal Government cooperatively would purchase school bonds issued by local communities. He acknowledges, however, that restrictive debt limits forbid many school districts to borrow in this fashion and that in many others "the amount of taxable property and local income is so low as to make it impossible for the district either to repay borrowed money or rent a satisfactory school building." To the impoverished districts he would make Federal grants in conjunction with the States, thus breaching, so far as they are concerned, the wall he had previously erected against Federal intervention. If direct Federal aid will not imperil the independence of communities unable to borrow, it will not imperil the independence of more solvent communities.

We think the President has balked at a bugbear. The condition of the schools as he has pictured it constitutes a national crisis. Congress now has before it carefully considered bills which will meet this crisis more quickly, more generously, and more effectively than the President's plan. We hope it will enact one of them soon.

Mr. KERR. Mr. President, I am sure that statement was written to show the inadequacy of and, therefore, as a criticism of, the President's proposal. Actually, I think when it indicates the President has proposed half a loaf it is complimenting his program, because I cannot find even 5 percent of a loaf in the program recommended by the President.

As I think of the security of our country, as I think of its defense, as I think of the comparative strength of Soviet Russia and her allies on the one hand and our country and the free world on the other hand, I am persuaded that we can outproduce them on the farms, in the factories, and in the mills to the degree that we can have and continue to maintain a decided edge or advantage over them. I know that our gallant fighting men can outfight theirs on the ground, in the air, and on the sea. Yet, Mr. President, the conflict may not be determined on those grounds alone. Our ability to outproduce on the land, in the factories, and in the mills, the ability of our sons to outfight others on the land, on the sea, and in the air, may not be sufficient, because we are in an age, Mr. President, when this struggle may be determined by the products of science. We are in a struggle the outcome of which may depend upon which nation has the greatest stockpile of trained manpower, of educated brains, of scientific ability. I believe it is an undisputed fact that Communist Russia and her allies today have more trained engineers and scientists than has the free world. I believe she is now training more engineers and more scientists annually than are we and our friends. Would it not be a tragedy, Mr. President, if a hundred years from now historians should write that America and her allies lost the cold war or the world conflict that came out of it because Russia and her allies won the

struggle to develop a greater stockpile of trained scientific brains and ability?

Yet, Mr. President, the undisputed fact is that as of today America and her allies are behind in that phase of the struggle.

Molotov told the world yesterday that we in America are in the back seat insofar as atomic and hydrogen bombs are concerned. I hope that is not true. I do not believe it is true. But I am convinced that Russia and her allies are building a greater stockpile of technically trained scientific brains than we are. I know that our hope of survival depends in part upon our changing that condition.

How can that be done? It can be done only through a greater program of education whereby opportunity for better education will be afforded all the children and all the people of America. Therefore, Mr. President, when the Chief Executive sent to the Congress yesterday his message on education he was talking about national defense just as much as we are talking about national defense as we discuss the ratification of the pending treaty.

An inadequate approach to meet what is now generally acknowledged as a necessary objective would put us in the posture of too little and too late, just as certainly in the field of education as it would in the field of atomic or hydrogen bombs, trained fighting men, planes, ships, tanks, and guns.

As I read the President's message, I find it has one similarity to Caesar's Commentaries with reference to Gaul. I believe he started in with the statement that "All Gaul is divided into three parts." As I read the President's proposal, I find that local school districts are divided into three parts. First, he proposes to make eligible one group with these specifications: Those districts which have necessities for school buildings and some borrowing leeway left under their State laws, but with doubtful credit ratings.

He says that if a school district, under the laws of the State in which it is located, has a legal right to borrow money, but finds itself unable to do so, then it would be eligible as one group, under his proposal.

But, Mr. President, in order that they may take advantage of that help, they must start in by penalizing themselves. How? By paying a higher rate of interest on their borrowings.

I find an amazing thing about this message. While they would have to pay a higher rate of interest on their borrowings than would districts with a better credit rating, their borrowings would be guaranteed by the Federal Government.

Mr. LONG. Mr. President, will the Senator from Oklahoma yield for a question?

Mr. KERR. I yield.

Mr. LONG. Would the bonds be tax exempt?

Mr. KERR. As I read the message, I do not find that point specifically covered.

Mr. LONG. Is it not true that the bonds of a municipality and the bonds of a State are tax exempt?

Mr. KERR. They can be; they are not necessarily so. As to whether or not the proposed bonds could be tax exempt would depend, I am certain, upon the language of the law which Congress might pass, if it should pass one.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. KERR. I yield for a question.

Mr. LONG. Would it not seem odd that a bond should have a Federal guaranty and that such a bond should bear an even higher interest rate than a municipal bond which did not have a Federal guaranty?

Mr. KERR. It not only would seem strange to me, but also ridiculous. It simply goes to show that this bill was conceived by investment bankers and dedicated to the money lenders of the country.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. KERR. I yield.

Mr. LONG. Can the Senator indicate to some of us where we might purchase such a bond as that, having a higher interest rate than other municipal bonds and a Federal guaranty to go along with it?

Mr. KERR. I know of none now available; but if we were to enact this bill for the necessities of the local school districts and were to compel them to take advantage of it, there would be an abundance of such bonds available.

Yes, Mr. President, the bonds of this particular class of districts would carry a special bonus, and the purchasers know that they would be issued at rates of interest higher than the rates at which other school districts have issued bonds. Yet the interest rates would be guaranteed by the Federal Government.

There is a second group of districts which would be eligible, and that is a group of districts which have necessities for school buildings, but which do not have a legal borrowing limit available to them. This particular recommendation would remove that barrier, provided such a school district could take money from its current income to make annual payments of principal and interest on the borrowings it would have to make in order to construct the school buildings which the necessities of its children required. But that district also, even though in an economic condition less favorable than that of the first group, would likewise be penalized by having to pay a higher interest rate. Ah, but this bond also would be guaranteed by the Federal Government, so the purchaser of the bond would likewise get a premium over and above the interest rates which other school districts have had to pay.

But here comes the other penalty to that district. I have tried to figure out how a school district could meet an annual payment on a bond if it were already bonded to its legal limit, and were already borrowing on a basis which was the limit of its ability to carry. Do you know how it could meet the payment, Mr. President? It could charge its pupils tuition. Yes, it could do that. Although it would be among the second poorest group of school districts in the Nation, it could get its annual require-

ments for interest and principal by charging tuition to its children.

It could meet those requirements in another way. It could meet them by compelling its teachers, already woefully underpaid, to take a reduction in their salaries, and to let that amount of revenue or income of the district theretofore being used to pay teachers their inadequate salaries, be used to meet its annual requirements. It could do that.

But the penalty of this program, if enacted, would fall heavily not only upon the shoulders of those two groups of districts; it would likewise fall upon every school district in the country which is sufficiently prosperous as not to be included in one of these groups. Why? Because the bonds issued for those districts, having both principal and interest guaranteed by the Federal Government, and being at higher interest rates than the bonds of other districts, would of necessity bring about a condition whereby the other districts also would have to pay higher interest rates.

Under the proposal there is yet another group. That is the group which is so poor that not only is it without borrowing power, but also it is so poor that it cannot, under any circumstance, make any annual payment on the principal and interest. School districts in that group would have to establish themselves with a form of pauper's oath, following which they would be eligible to participate in a program whereby the Federal Government would provide a third of \$200 million a year for 3 years, provided the State in which the pauper district was located supplied sufficient funds to match, according to the formula, the amount of money provided by the Federal Government.

I can imagine the pride in the hearts of thousands of youths in the pauper districts, and can see them holding their heads up and proclaiming in free America, "I am a student in a pauper's oath district. I am a citizen of the richest country on earth, but of the poorest group of school districts in that country. We are just as proud of our pauperism as we are of our freedom."

Yet that is contained in a message which has this noble language:

Because of the magnitude of the job, but more fundamentally because of the undeniable importance of free education to a free way of life.

And this language:

The American idea of universal public education was conceived as necessary in a society dedicated to the principles of individual freedom, equality, and self-government.

The Cherokee Indian Nation, more than a hundred years ago, put into operation a program of free public education for every youth in that nation; and even in that age, in the pioneer days of the Republic, it never entered into the minds of those rugged individualists to require a district to make and establish a pauper's oath in order to become the recipient of the public educational program of that great tribe of Indians.

Yes, I repeat that this bill, in my judgment, was conceived by investment

bankers and dedicated to the money-lenders. It talks about a present emergency; then it sets forth a program which could not be implemented in 3 years, because it would not become operative until it had been acted upon by the legislatures of the States.

Forty-four of the States will have legislative sessions this year; 14 legislatures are scheduled to meet next year. Those sessions will have become history before the proposed law could be put into operation. If passed as recommended, the law not only would be inadequate in that it would provide woefully and pitifully small sums, but it would be tragically late, since it could not be implemented until the legislatures of the States had acted upon it. In the meantime the critical shortage of educational opportunities for youth, a million of whom as of now, Mr. President, have to go to school on a part-time basis, if at all, would become even more critical. So far as the principle enunciated by the President in this noble language, "The American idea of universal public education" is concerned, the proposal has neither benefit of ancestry nor hope of beneficial posterity.

The message makes a prima facie case for Federal aid, and then tells the Congress how to avoid giving it.

It condemns Federal control of local public education, and then describes a perfect method of how to achieve it.

It would make annual rental or educational sharecroppers out of millions of the schoolchildren of the Nation, and it would do likewise to any State that had to bow in shame to accept the third proposal outlined in the program.

It would compel thousands—yes, hundreds of thousands—of underpaid schoolteachers to further cut their salaries in order that their pauperized districts might qualify under the program, if all the other requirements could be and were met.

Mr. President, the opportunity for free education, available to all the children of all our citizens, is part and parcel of the heritage of a free people. The time has now arrived when it has become an absolute necessity to insure the survival of a free people. Therefore, Mr. President, I hope the Congress will take the spirit of the President's message to the Congress, wherein he makes plain the necessity and sets forth in eloquent language the worthy program of helping to insure universal public education for all the children of all the people, and then I hope it will ignore the pitiful program which he suggests and enact one of its own that will meet the great national emergency and necessity now facing us in a way that will be commensurate with the position, the wealth, the ideals, and the way of life of our blessed country, by providing an amount sufficient to help us insure our survival, and on a basis that will make every American youth who takes advantage of or has the opportunity to be benefited by the program proud of his country, of his Government, and of his district, rather than one which will make him bow his head in shame as he contemplates the inadequate provisions recommended in the President's proposal.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. KERR. I yield to the Senator from Alabama.

Mr. SPARKMAN. First, I should like to commend the able Senator from Oklahoma for bringing this matter up for discussion. I think it is a subject which warrants a great deal of discussion and consideration, and I am sure it will receive much attention.

I have been somewhat troubled by the proposal to grant Federal aid to our schools when I consider some of the provisions and some of the means by which it is sought to extend such aid. A question comes to my mind, and I should like to have the comment of the distinguished Senator from Oklahoma on it. Let us take the case of my own State, with which I am most familiar. I think statistics show that the State of Alabama is exerting just about as great an effort as is any other State of the Union toward the support of our schools, school teachers, and public education generally. The effort takes just about all we can rake and scrape up to operate our school system. We are running constantly behind, so far as the need for adequate school facilities is concerned. Is there anything in the bill which would make it easier for us to get adequate school facilities or to operate our schools more economically, more efficiently, and more effectively, by utilizing the aid which is held forth in the bill?

Mr. KERR. Mr. President, I tried to say in my earlier remarks that the program proposed would do the least for those who need aid the most, and would do that on the basis of humiliation and shame to them, and in a manner that would penalize them if they participated in the program.

No; I do not think it would begin to catch up the slack that now exists in Alabama, in Oklahoma, and in most of the other 48 States. Certainly it would not even approach the much desired objective of placing our country on a current basis in the matter of meeting the need for an adequate educational opportunity for all the children of all the people.

Mr. SPARKMAN. As I understand, there are only two ways by which aid could be obtained under the proposed program. One of them would be by a person's taking the pauper's oath, to which the Senator referred as the humiliating course, and even in that case I believe that all groups would have to take the oath—the district, the county, and the State, all the way up. Is that not true?

Mr. KERR. As I understand the proposal, the beneficiaries would be divided into three groups. One would be the group which still has some borrowing capacity not taken up under the State law—

Mr. SPARKMAN. The upper stratum.

Mr. KERR. That would be the upper stratum of the three groups. The second would be the group in the middle, which would have no borrowing capacity left, but which might, by some manner or means, squeeze out of current operating income sufficient money to make annual payments on interest and principal.



The third group would be the one, to which I referred, which would have to take the pauper's oath and prove its necessity. That group would come in for grants out of \$60 million—

Mr. SPARKMAN. Sixty-five million dollars.

Mr. KERR. Or about \$67 million, from the Federal Government, provided the States matched the funds for the local districts.

Mr. SPARKMAN. Yes. If a school district, county, or State, whatever the unit may be, is already using the fullest resources of which it is capable, in the way of taxes and revenue, in order to operate its schools, how will it get by under the debt it is encouraged to enter into?

Mr. KERR. It could do so only as I outlined, namely, either by charging tuition to its pupils, in order to obtain additional revenue, or by cutting the already inadequate salaries of its teachers in order to have some income available to meet the requirements of principal and interest.

Mr. SPARKMAN. Certainly the Senator from Oklahoma does not think either of those would contribute to spreading universal or general education in the United States, does he?

Mr. KERR. If we imposed that kind of a program upon America, I think we not only would heap shame upon the people, but we would have to share and bow our heads under the same shame.

Mr. SPARKMAN. I appreciate the answer of the Senator from Oklahoma to these questions, because, I say frankly, the program has seemed to me to be so empty, that I was afraid I did not understand it. When I try to analyze it, it seems to me as if it is a hoax; I see in it nothing to aid those who need aid.

Mr. KERR. Let me say to the Senator from Alabama that I am afraid the President does not understand it.

Mr. SPARKMAN. That is why I say I cannot believe that he can understand what seems to me to be a hoax on the people of the country.

Mr. KERR. I do not believe the President can understand the part of his message in which he sets forth the lofty aim of giving aid to the people, and then indicates that that could be met with the pitiful proposal he makes.

Mr. SPARKMAN. Yet it is the proposal which is before us; is it not?

Mr. KERR. Yes; it is the proposal which is before us. The Senator from Alabama is eminently correct.

Mr. SPARKMAN. Would the Senator from Oklahoma care to comment on this point: Has any impression been created on him because of the extent to which proposals are coming before us to issue bonds, issue bonds, issue bonds, and go in debt deeper and deeper? Of course, the transaction is not carried in the Government bookkeeping as a Federal debt; but it is a debt of the people, just the same. I refer to the road bonds and the school bonds.

Mr. KERR. Yes. I wish to remind the Senator from Alabama of the fact that, in the first place, they would be issued by an administration which is dedicated, or is said to be dedicated, to what it conceives to be the lofty aims of

free enterprise; and, in the second place, they would be a bonanza to the investment bankers of the country, and would give them a way to profit on the bonds in a manner unparalleled in our history. I must say that I conceive it possible that those two virtues give them merit in the minds of those who proposed them.

Mr. SPARKMAN. I must remind the Senator from Oklahoma that this is not the first case of that kind. In that connection, I may refer to the fiasco, as the New York Times called it, of the 3¼-percent bond issue of a few years ago.

Mr. KERR. Oh, yes; I remember that fiasco.

Mr. SPARKMAN. I wonder whether the Senator from Oklahoma remembers that that high-interest rate, hard-money policy remained in effect for about 30 days—from May 1 until June 6, to be exact; and that on June 3—3 days before that policy was reversed—the interest charged to the veterans of the country rose by one-half of 1 percent, namely, from 4 percent to 4½ percent. Whereas on June 6, nearly 2 years ago, the administration eased that burden, and yet the interest rate charged to the veterans, and which the veterans had to pay, stayed up.

Mr. KERR. Not only that, but also the premium the veteran has to pay in order to have his loan discounted still prevails in every mortgage money market I know of in this country.

Mr. SPARKMAN. Does the Senator from Oklahoma know at what price those 3¼-percent bonds are selling today?

Mr. KERR. They are selling at a very high premium.

But the President says that the bonds which the districts otherwise unable to borrow would issue would carry a rate, at this time, of 3½ percent, and would be insured by the Federal Government. However, this authorization would leave it wide open for the Secretary of the Treasury to fix the rate on these bonds at one-half of 1 percent above the current Government long-term interest rate, whatever it might be.

Mr. SPARKMAN. The latest announcement was 3 percent, on the 40-year bonds.

Mr. KERR. Yes; on the 40-year bonds. But under the formula I have indicated, as stated in the proposal and in the President's conclusion, we find that now the interest rate on them would be 3½ percent. As I understand the action of the Treasury in offering the 3-percent long-term bonds, the rate would have to be 3½ percent.

Mr. SPARKMAN. That would be under the power of the Secretary of the Treasury to raise the rate to one-half of 1 percent above the current rate; is that correct?

Mr. KERR. That is correct.

Mr. SPARKMAN. And certainly the most recent current rate is 3 percent.

Mr. KERR. Not only is it the most recent, but it has to be the current one because the offer by the Treasury of that vast amount of long-term bonds has not expired, but is still in effect and available.

Mr. SPARKMAN. Mr. President, I thank the distinguished Senator from

Oklahoma for throwing this additional light upon the proposal.

Mr. KERR. I thank the Senator from Alabama.

Mr. GORE. Mr. President, will the Senator from Oklahoma yield to me?

Mr. KERR. I yield to the Senator from Tennessee.

Mr. GORE. As I have listened to the eloquent and able speech the distinguished senior Senator from Oklahoma has been making, and as I have listened to his colloquy with the able junior Senator from Alabama [Mr. SPARKMAN], I have wondered whether the able Senator from Oklahoma sees emerging, as he contemplates the partnership power program, the road program, and the so-called school-construction program, a prime policy of the Administration to bring about high-interest-rate investment opportunities for really big money in the country, with a Government guaranty.

Mr. KERR. There can be no doubt about it; there can be no doubt that it adds up to a program of giving special-privilege interest rates and income to the few, at the expense of the many, in programs clothed in the window dressing of being set up to meet the necessities of the people. I remind my able and distinguished colleague that more roads and better schools are necessities for all the people, but I say that the Government fails in meeting its responsibility—rather than in living up to it—when it proceeds in such a way that the only way those necessities of all the people can be met is in a manner which penalizes them and enriches a few.

Mr. GORE. We are referring to the necessity of the country for roads and the necessity of our children for schools.

Mr. KERR. And also the necessity for power.

Mr. GORE. Both in homes and in industry.

Mr. KERR. Yes.

Mr. GORE. Plus government guaranties, which indeed would make safe investments and enormous opportunities for investment.

Mr. KERR. Oh, Mr. President, the Senator from Tennessee is correct. That is why I have said I am convinced that this proposal was conceived by the investment bankers and dedicated to the money lenders.

Mr. GORE. How does the Senator from Oklahoma explain this proposal's finding its way to the United States Senate?

Mr. KERR. Oh, it came in the regularly approved and available avenue of transportation, in the form of a Presidential message. While I have with sincerity and frankness discussed it, I recognize the adequacy of the avenue which is available and open to the Chief Executive, so as to permit him to transmit the proposal.

Mr. GORE. Mr. President, will the Senator from Oklahoma yield further to me?

Mr. KERR. I yield to the able junior Senator from Tennessee.

Mr. GORE. Mr. President, I appreciate the answer of the able Senator from Oklahoma. But, as I recall, during the 1952 campaign this administration was

in favor of doing away with Government subsidies, whereas now the administration proposes subsidies in a more enormous way than ever before.

Mr. KERR. I remind the distinguished Senator from Tennessee that, in my judgment, he labors under a misunderstanding. The present administration is not against Government subsidies. It is just opposed to having any of them made available in such a way as to possibly be taken advantage of by, or to be beneficial to, the rank and file of the people.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The treaty is before the Senate.

Mr. LEHMAN obtained the floor.

Mr. LONG. Mr. President, will the Senator from New York yield, in order to permit me to propound a unanimous-consent request?

Mr. LEHMAN. I am glad to yield.

Mr. LONG. Mr. President, in view of the small number of Senators who are in the Chamber at this time, I ask unanimous consent that, without prejudice to the right of the Senator from New York to the floor, I may suggest the absence of a quorum.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana. The Chair hears none.

Mr. LONG. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEHMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEHMAN. Mr. President, the sense of public danger is upon us all.

With each passing day the concern of our fellow citizens with developments abroad deepens and rises. Happenings of the most tremendous significance occupy the headlines and the airways. There is a spreading atmosphere, a growing awareness, that the world is on the threshold of events whose course may suddenly pass beyond our control. We are deeply involved in this tide of affairs. Our Government gives spur to some of these events. Others, such as yesterday's thunderclap from Moscow, we know to be somehow related, but our understanding of them is far from clear.

Twice within a space of 2 weeks, the administration has called upon the Senate to assert its high prerogatives with action which must inevitably affect—and has affected and involved—the security of the United States and the peace of the world.

I do not doubt that each Member of this body faces the question that is before us today—the pending treaty with Chiang Kai-shek's China—with a full appreciation of the gravity of what we shall do or fail to do.

On Tuesday afternoon, Secretary of State Dulles told a closed session of the Foreign Relations Committee considering this treaty—and that statement was issued to the press and printed in every newspaper of the land—that "failure to conclude this treaty would have the

gravest consequences." The import was that if the Senate failed to give its consent and approval to the pending treaty, our vital interests would be threatened. The threat, he indicated, was imminent. Contrarily, he strongly suggested that the approval of this treaty would somehow stay the threat to our vital interests and hold back the tide of aggression and war.

Mr. President, this statement by Secretary Dulles deserves, of course, our respectful attention and consideration. But it seems to me, certainly, to beg for facts to support these sweeping conclusions. I looked in the press and elsewhere for such facts. I read carefully the released text of Secretary Dulles' statement before the Foreign Relations Committee. The statement contained no supporting facts.

Secretary Dulles said that the ratification of the pending treaty, together with the Formosa resolution which we passed on January 28, 12 days ago, "will create a situation in which the present warlike mood of the Chinese Communists may subside."

I cannot help but ask, Mr. President—I have asked privately, without receiving a satisfactory answer, and now I ask publicly—what precisely does the treaty add to the position and posture we took in the Formosa resolution? What contribution is made, what strength is taken on, what further pause is given to the Chinese Communists by virtue of this treaty?

We are officially told, indeed, that the resolution went further, in respect to commitments of defensive force, than this treaty. That resolution was passed not only by the Senate but by the House. It was an act of the Congress. Why do we need to approve this treaty, binding our country not only for the present, to meet the present situation, but binding us with the bands of constitutional strength far into the indefinite future, to meet situations which we cannot possibly foresee today?

Mr. President, the questions raised by this treaty are of such grave import and tremendous consequence, that I would judge it our duty and responsibility to examine with scrupulous care every phase and implication of this binding commitment. Our Constitution so requires of us.

I was one of those who most strongly opposed the Bricker resolution which would have tied the hands of the President in conducting our foreign relations and which, in major respects, would have impaired the binding quality of treaties approved by us. I argued at the time—and I will argue again if another version of the Bricker resolution comes to the floor of the Senate—that the Senate can be trusted to give every treaty the deliberate study and consideration merited by such a contractual obligation.

I do not believe, Mr. President, that the pending treaty has been given anything like the study and reflection it requires.

Submitted for our consideration by the President on January 6, brought up in the Foreign Relations Committee on

February 7, only 2 days ago, and reported yesterday, we are being urged to act in haste, to vote perhaps today, with 1 day's study and debate. The report of the Foreign Relations Committee on this vital undertaking was placed on our desks only a few hours ago.

Mr. President, I recall that the Versailles Treaty was submitted to the Senate on July 10, 1919. The Foreign Relations Committee studied it for months. A great national debate, the like of which had never been known before, took place while the treaty was being considered by the committee. It was finally reported on November 6. There followed two long weeks of debate, and the Senate finally acted on November 19.

The North Atlantic Treaty of 1949, to cite another instance, was reported by the Foreign Relations Committee after lengthy hearings and consideration, on June 8, 1949. It was approved by the Senate on July 21, again after full and extended debate.

I judge the Formosa Treaty to contain implications of comparable importance to the NATO accord, although, in my opinion, of an opposite character and disposition.

Why should we ratify the Formosa Treaty in such haste, after only 2 days' consideration by the Foreign Relations Committee, and 1 day's debate by the Senate as a whole?

I know that many of my Republican colleagues are eager to be off on their circuit of political meetings and speeches to celebrate the virtues and achievements of the Republican Party.

I do not grudge them this political ex-service and indeed the majority party in the Senate is pleased to accommodate our colleagues on the other side of the aisle with a sufficient recess and suspension of important business to permit them to attend to the political business of the coming week.

But, Mr. President, shall we, for this reason and with this justification, rush this treaty through to approval, with 1 day's debate, after the Foreign Relations Committee has heard only one witness, the Secretary of State? That witness, of course, was favorable. No opposition witness was heard.

There is opposition to this treaty—strong opposition. More than a third of the Foreign Relations Committee voted for important reservations to this treaty, even without having given occasion for opposition witnesses to appear and to testify.

Mr. President, in my almost 6 years in the Senate, I have given my vote and my wholehearted support to every defense treaty which has come before us.

I have supported every authorization and every appropriation bill for defense purposes, for the building up of our own Armed Forces, and for giving aid to the military and economic buildup of our allies.

Included among the measures I have supported have been numerous provisions and appropriations for military aid to the Chiang Kai-shek regime. I willingly supported those provisions and appropriations. I fought against attempts to reduce the authorizations and



appropriations. I supported every attempt to increase them.

But this, Mr. President, is a different kind of undertaking, in a different kind of situation.

Here today we are being asked to rush approval of a defense treaty, of a defensive alliance, with one day's debate. We are being asked to approve the establishment of a permanent military tie with a regime that is undeniably weak and, according to my information, steadily growing weaker.

It is whispered that this treaty is necessary to shore up that regime, to strengthen it, to prevent it from toppling over. And it is indicated that haste is necessary for this purpose.

Since when, Mr. President, did we start entering treaties of military alliance with other nations for the purpose of giving strength to their regimes, and to build up their morale and their prestige? Is this a proper function of treaties, of solemn covenants which bind the United States for all time to come, unless we repudiate them?

Mr. President, the Far East is a tinderbox, threatening momentarily to explode. While the Secretary of State was telling the Foreign Relations Committee that he doubts that the Chinese Communists intend or are prepared to wage war against the United States, another spokesman for the administration was telling the Armed Services Committee of the House, where a proposal to extend the selective service was under consideration, that a shooting war may not be far off.

Setting aside the question of the contradiction, I want to know why, when we are confronting a situation of such complexity, danger and uncertainty, we must rush headlong into a binding treaty of alliance with one of the weakest and most uncertain regimes in that entire area? It is a regime whose international status is certainly in grave doubt.

Mr. President, a treaty of alliance must not and should not be regarded as a substitute for strong action by the Executive to do whatever is necessary to protect and advance the vital interests of the United States in foreign affairs.

It may be necessary—I agree it is necessary—to support, at this time and at this moment, the regime of Chiang Kai-shek in Formosa. I agree without question, and with all my heart, that it is desirable for the United States to act—in concert with the rest of the free world—to keep Formosa and the Pescadores from falling into unfriendly hands.

Pending action by the United Nations, we must act to keep Formosa and the Pescadores from being seized by the Chinese Communists by force of arms. Communist aggression against Formosa and the Pescadores must be resisted with every force at our command. I have stated that time and time again. I know when I make that statement I am speaking for everyone of my 95 colleagues in the Senate. The joint resolution passed by Congress on January 28 gave full assent to that policy.

Mr. CHAVEZ. Mr. President, will the Senator yield for a question?

Mr. LEHMAN. I gladly yield to the Senator from New Mexico.

Mr. CHAVEZ. What benefits will we get from the Chiang Kai-shek regime if we ratify this treaty?

Mr. LEHMAN. I am glad indeed that my distinguished colleague from New Mexico raised that point. I am convinced that we will get absolutely no benefit, but that we will subject ourselves and the free world to great risks. It is my opinion that instead of lessening the likelihood of war, it may increase it.

Mr. CHAVEZ. I recall the part taken by General Stilwell during the time he was dealing with Burma and China, as compared with the person who now leads the Government in Formosa, Chiang Kai-shek. General Stilwell stated, after observation of the activities of the Chinese Army against the Japanese, that they would not fight against the Japanese, that the situation was being used only to get something from the United States in the way of funds. It seems to me that everyone connected with the State Department likes Chiang Kai-shek, but the Chinese people do not seem to like him. I think it should be decided, as was done 70 years ago, as to what should now be done to keep the people of China united.

Mr. LEHMAN. I thank the Senator for his very wise observation.

If further action is necessary to let the Communists know that we intend to defend Formosa and the Pescadores, I do not know what it is. But whatever it is, the President surely has that power. He can proclaim it from the housetops. He can send whatever force is available and is necessary to show the Communists that we mean business.

I suggest, Mr. President, that it would be far more useful, and more impressive to the Communists, and less damaging to the long-range interests of the United States, if the administration would try to lead the United Nations into action, rather than the Senate of the United States.

Yesterday there took place in Moscow an event of far-reaching implications. A new leader—Marshal Bulganin—took the reins of power in that nation which Winston Churchill once described as a riddle wrapped in a mystery inside an enigma.

That nation, Soviet Russia, is the seat and center of the aggressive threat which confronts us and the entire free world. There is our enemy. There is the headquarters of the international conspiracy. There is the nerve center of the far-flung assault upon the bastions of freedom.

Who knows for sure the implications of Malenkov's so-called resignation and Bulganin's so-called election? No one knows. We were told by our official evaluators of Soviet policy after Stalin's death and Malenkov's assumption of power that this development meant no basic change in Soviet policy. Now, as Malenkov steps down, we are told that whereas Malenkov was inclined to be somewhat accommodating to the West, Bulganin is likely to be more aggressive and menacing. I do not think any one knows for sure.

All the more reason, then, in this time of flux and crisis, of doubt and uncertainty, for us to remain fluid and flexible,

ready to move into whatever posture is best adapted to serve the interests of the United States and of the free world.

All the more reason to avoid permanent and inflexible commitments like the one here proposed to be made with Chiang Kai-shek. I see no justification for it, no adequate benefit for our own country.

Mr. President, when this treaty was first announced as having been negotiated, and its terms became known, there were experts and authorities on foreign policy and international affairs, outside our Government, who immediately perceived in the treaty great disadvantages to the United States, and to the cause of free world unity and of peace.

One of the most eminent of those was and is the Honorable Benjamin V. Cohen, whose warrant to the title of an expert and an authority can scarcely be challenged. Mr. Cohen, one of the chief draftsmen of the Dumbarton Oaks plan, was one of the architects of the United Nations. He occupied the high post of Counselor of the Department of State under two Secretaries of State, James F. Byrnes and Gen. George C. Marshall. He was for many years thereafter a member of the United States delegation to the General Assembly of the United Nations. He was the chief American representative on the United Nations Disarmament Commission of the United Nations, with the rank of Ambassador. Beyond that, he is one of our Nation's most widely accepted authorities on questions of international law and relations.

Ambassador Cohen wrote a memorandum on the so-called Formosa Treaty, analyzing it and raising fundamental questions concerning it. That memorandum, which has since become known as the Cohen memorandum, was circulated among Members of the Senate. It was submitted to the Secretary of State and was intensively studied in the Department. It was widely commented upon in the press. It served the vital function of focusing attention upon the unwise and dangerous implications of this treaty both for the immediate objectives of the United States and for the long-range purposes of American policy. That memorandum raised, in clear perspective, fundamental questions: as to whether the pending treaty serves the cause of peace and security or whether it actually increases the danger of war; and whether the treaty does not, in fact, involve us in unnecessary and unjustifiable conflicts with our allies, and thus threaten the unity of the free world.

Mr. President, I ask unanimous consent that this almost historic memorandum be printed in the RECORD at this point in my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM ON THE PROPOSED MUTUAL DEFENSE TREATY WITH THE REPUBLIC OF CHINA

(Prepared by Benjamin V. Cohen)

1. This memorandum raises some questions concerning the desirability of the ratification of the recently negotiated mutual defense treaty with the Republic of China.

It should be stated at the outset that this memorandum does not question (1) the vital importance to the United States of having Formosa and the Pescadores remain in friendly hands, or (2) the policy of defending these islands from unprovoked armed attack. The purpose of the memorandum is to consider whether the proposed mutual defense treaty on balance will aid or embarrass the United States in protecting its vital interests in Formosa and the Pescadores, in deterring any armed attack on these islands, and in opposing such attack if it occurs.

2. The proposed mutual defense treaty, if ratified, would for the first time constitute a formal recognition of Formosa and the Pescadores as territories of the Republic of China. Heretofore, the United States has been careful to avoid any formal recognition of the transfer of these islands to China and to reserve a high degree of freedom in regard to its position on the future status of these islands. Under the Japanese Peace Treaty Japan gave up all claim to these islands but no attempt was made to define their present or future status.

It is true that the Cairo declaration, which was reaffirmed in the Potsdam proclamation, asserted the purpose of the representatives of the United States, the United Kingdom, and Nationalist China to restore Formosa and the Pescadores to the Republic of China. But such purpose has not yet been carried out by any duly ratified peace treaty, and much has happened in the meanwhile. The situation has been so altered on the mainland of China as to raise grave doubt whether that purpose can now be carried out, as it was assumed it could be, with due regard to the principles of the Atlantic Charter and the Charter of the United Nations. The mainland of China has become involved in civil war and revolution, and the involvement of Formosa and the Pescadores in that civil war and revolution was neither foreseen nor contemplated at the time of the Cairo declaration. Such enforced involvement without regard to the wishes and interests of the people of these islands could not be reconciled with the principles of self-determination.

3. The formal recognition of Formosa and the Pescadores as territories of the Republic of China would give substance to the claim of the Chinese Communists that an armed attack on these islands is not international aggression on their part but civil war in which the right and purpose of other nations forcibly to intervene would be open to serious doubt and question. Formosa and the Pescadores are in fact at present separate and independent of the mainland of China. It would seem to be very definitely not only in the interest of the United States but in the interest of peace to keep them separate and independent and not to enmesh them inextricably with the rights and claims of the mainland of China. It has been stated in the press that Chiang Kai-shek has given assurances that he would not engage in provocative attacks on the mainland, but such assurances are not found in the text of the treaty. Indeed it would be very awkward by treaty to impose restraints on the exercise of sovereign rights in China proper by any government claiming to be the lawful government of all China. Assurances outside the text of the treaty will be subject to debate, shifting executive interpretations and waivers. A China whose rights to Formosa and the Pescadores are recognized, cannot be expected to forswear its rights to the mainland of China. But what is more important, a China which controls the mainland will most assuredly assert its rights to Formosa and the Pescadores if those islands are formally recognized as territories of China. What we recognize as territories of Chiang's China, other countries including our allies which recognize Mao's China, may feel compelled to recognize as territories of Mao's China.

4. The formal recognition of Formosa and the Pescadores as territories of the Republic of China will gravely embarrass if not preclude efforts by the United States and by the United Nations to consider in the future any status for Formosa and the Pescadores other than as territories of the Republic of China. But it would seem very unwise for the United States at this time, with the mainland of China under Communist control, to tie its hands so that it would not be free to consider an independent status or possibly even a United Nations trusteeship for these islands if such alternatives should prove feasible and advantageous. Since Communist control of the mainland of China is not likely to be broken for some time, it would seem to be in the interest of the United States to favor and work for the separation of Formosa and the Pescadores from the mainland at least for the time being. Any treaty which inseparably ties these islands to the mainland would seem to be detrimental to the interests of the United States in this area.

5. Most of our friends and allies want to have peace, not war, in the Strait of Formosa. It would probably be possible to evoke wide support in the United Nations and throughout the free world for the calling of a cease-fire by the United Nations in the Strait of Formosa. Many nations, including nations which have recognized Red China, probably could be induced to support a cease-fire which would preclude the uniting of Formosa and the Pescadores with the mainland by force. It would, therefore, seem to be in the interest of the United States to separate Formosa and the Pescadores from the power struggle for control of the mainland of China and to base our position on the United Nations Charter which forbids the use of force in international relations and calls for peaceful settlement of international disputes and the right of self-determination of peoples. This would seem to be the best, if not the only, way of harmonizing our positions and that of our friends and allies and of avoiding grave risks of becoming involved in war without their support and assistance. This would not involve the dispossession of Chiang from Formosa unless the people of Formosa insisted on it. It would seem that Chiang would have a better chance to retain the favor of the people of Formosa if he did not involve them in war with the mainland.

6. In his statements in support of the proposed mutual-defense treaty with the Republic of China (Department of State, press release No. 686, December 1, 1954), Mr. Dulles contends that this treaty is similar to the defense treaties made with the Republic of Korea, Japan, the Philippines, Australia, and New Zealand, and he particularly stresses the similarity between the Korean Treaty and the proposed treaty. But there are vital differences in the situations with which the two treaties deal.

Our recognition of the Republic of Korea on January 1, 1949, was based on the United Nations General Assembly resolution of December 12, 1948, which declared "that there has been established a lawful government (the Government of the Republic of Korea) having effective control and jurisdiction over that part of Korea where the temporary Commission was able to observe and consult and in which great majority of the people of all Korea reside; that the Government is based on elections which were a valid expression of the free will of the electorate of that part of Korea and which was observed by the temporary Commission; and that this is the only such government in Korea."

Mr. Dulles does not mention the practical limitations which we have placed on our recognition of the Republic of Korea when he states that "we recognize the Republic of China as the only lawful government of China, just as we recognize, and the

United Nations recognizes, the Government of the Republic of Korea as the only lawful government in Korea." We and the United Nations have never recognized the right of the Republic of Korea to extend its effective control and jurisdiction by force to other parts of Korea, and it is clear, therefore, that any attempt on the part of the Republic of Korea to do so by force would be contrary to article 1 of the mutual-defense treaty which forbids the use of force in any manner inconsistent with the purposes of the United Nations.

It is not at all clear that any attempt by the Republic of China to extend its effective control and jurisdiction from Formosa to the mainland of China would be contrary to article 1 of the mutual-defense treaty with the Republic of China.

Asked whether the treaty recognized on our behalf the claim of the Republic of China to sovereignty over the mainland, Mr. Dulles replied that "it does not deal specifically with that matter one way or another." Asked whether there is any understanding in connection with this treaty that the Chinese Nationalists before attacking the mainland must consult with us and act only by agreement with us, Mr. Dulles replied that "we expect that there will be worked out practical arrangements so that neither will take action in this area which would jeopardize the other and that we would generally act in an agreed pattern of conduct. Having undertaken to defend the islands, we would not expect, nor would the Chinese Nationalists expect to act rashly in a way to jeopardize the islands. We anticipate that under the operation clause of the treaty there will be a good deal of consultation and agreement as to just how the situation is to be handled."

Mr. Dulles' remarks in no way suggests that an attack on the mainland by the Chinese Nationalists from Formosa would be contrary to article I of the treaty. Mr. Dulles' remarks in no way suggest that the policy announced in the state of the Union message of 1953 regarding noninterference by the Seventh Fleet with attacks on the mainland by the Chinese Nationalists from Formosa has in principle been abandoned.

To make the proposed treaty at all comparable with the Korean treaty it would have to be amended, or subjected to reservations, to make clear that the Republic of China in Formosa and the Pescadores would not attempt to extend its effective control and jurisdiction by the use of force from areas now thereunder to areas not now thereunder, and that any such attempt would be regarded as contrary to article I of the treaty.

7. While there may be countervailing arguments, the above considerations would seem to suggest that the proposed mutual defense treaty with the Republic of China, in its present form, would on balance embarrass rather than aid the United States in protecting its vital interests in Formosa and the Pescadores and in avoiding war in that area. It would seem that the treaty as presented would be more of an obstacle than a help in working for a peaceful settlement in the Formosan Straits in the interests of the United States, the United Nations, the inhabitants of the islands, and world peace. It would seem highly desirable before attempting to agree on any mutual defense treaty for this disturbed area to seek through the United Nations to obtain a cessation of armed hostilities in the waters between the mainland of China and Formosa and the Pescadores so that it will be clear that we are seeking peace and not trying to shield Formosa and the Pescadores while attacks on the mainland are in course of preparation there.

Mr. LEHMAN. Mr. President, following the circulation and public discussion of the Cohen memorandum, there



appeared to develop a considerable resistance, both in public circles and in the Senate, to fundamental aspects of the treaty.

Then, suddenly, President Eisenhower sent the Congress a message proposing the passage of a resolution affirming congressional support for the defense of Formosa and the Pescadores. That resolution was overwhelmingly adopted, although there were some, including myself, who had strong reservations concerning the predated blank-check aspects of that resolution. I voted against it for that reason.

It was my belief—and that belief was rather widely held—that the passage of the resolution certainly eliminated the necessity of a treaty with the Chiang Kai-shek regime. The Congress had clearly stated its support for the defense of Formosa and the Pescadores, and the use of all-out force to resist aggression against Formosa and the Pescadores, a position to which I subscribe wholly and without reservation. It was only because the resolution went further—too much further in my judgment—that I voted against the resolution.

But, Mr. President, despite the passage of this resolution, whose language commits us to the defense of Formosa and the Pescadores—and possibly to a very much wider area—the administration suddenly renewed the pressure for the approval of the treaty. Why, I do not know. I wish I understood. What purpose does it serve?

It is full of dangers—so full, that the Secretary of State has been kept busy issuing explanations and interpretations, which are quite at variance with the plain language of the treaty.

It is so full of dangers that, the day after the treaty was negotiated, the Secretary of State felt impelled to issue a formal statement of clarification and, a week later, to enter into an exchange of diplomatic memorandums with the Foreign Minister of China. While neither the Dulles statement to the press of December 1 nor the Chinese-American exchange of memorandums of December 10 have any binding nature in international law, and do not comprise part of the treaty, they purport, in effect, to modify the treaty.

And in very recent days, there has been a whole series of explanations, culminating finally in the statements as to the intent of the Senate Committee on Foreign Relations, contained in the report of the committee.

These statements do not, of course, become part of the treaty. They do not have the force of treaty law. They merely state the interpretation and opinion of the Senate committee. These statements do not affect the treaty itself nor even officially convey the attitude of the Senate as a whole. I repeat, Mr. President, these statements do not have any force and effect, but, unfortunately, they may confuse the people of the United States.

Mr. CHAVEZ. Mr. President, will the Senator from New York yield further?

Mr. LEHMAN. I yield.

Mr. CHAVEZ. Is it not a fact that statements made by members of the committee have no force of law, but that

interpretations will be made by the State Department?

Mr. LEHMAN. They will be made by the State Department. But, also, they may serve to confuse the people of the United States. I think even now they have very greatly confused some of the most responsible and intelligent members of the press, including editorial writers.

That is one of the very great dangers inherent in this situation. I am glad the Senator has raised the question, because I was about to say that even now, as I read the editorials and news reports, I find a most distressing confusion and misinterpretation of the provisions of the treaty.

The language of the treaty is plain. It is clear for all to read. It states that this treaty is between the Republic of China and the United States of America. It states, in so many words, that the territories of the Republic of China which are to be defended, under the terms of the military alliance, consist of Formosa and the Pescadores.

Thus this treaty seems to recognize officially that Formosa and the Pescadores belong to the Republic of China. This would be our first official recognition of the sovereignty of China over Formosa. I am not at all convinced that the statement to the contrary, contained in the Senate committee report, is valid in any way, in view of the plain language of the treaty. Certainly it can have no force and effect upon the treaty.

As I am not convinced, I certainly do not think the Chinese Communists will be convinced. It is a fact that the Communist regime is recognized as the government of the Republic of China by many, if not most, of the free nations of the world.

My colleague, the distinguished senior Senator from Oregon [Mr. Morse], earlier this afternoon spent a great deal of time in a most interesting, convincing, and useful discussion of the position, under international law, of the islands of Formosa and the Pescadores. He pointed out that what we are doing now might unquestionably seriously affect the future determination of the status of those islands. I am in full agreement with what he has said. I think his was a most valuable discussion. We are proposing to go ahead and virtually recognize those islands as a part of the Chinese Republic. That is shown very clearly even in the caption of the treaty.

And here we are, seeming to recognize by treaty law that Formosa and the Pescadores belong to and are a part of the Republic of China. What dangers we invite. What troubles we store up for ourselves. Will not Communist China now claim legal justification for aggression against Formosa and the Pescadores? Will the Communists not say: "We are merely putting down an insurrection in a territory which even the United States recognizes as being a part of China proper"? I do not care what the Communists say, but I do care what Great Britain and France will say. What can they say? What can they feel but suspicion and apprehension.

The statement on sovereignty in the Senate committee report is possibly a

way out of this dangerous situation, but it is at best a slim and doubtful way out. I agree with the thesis which was so ably expounded by the distinguished senior Senator from Oregon during the course of the debate this afternoon.

I do not see why we should have to walk this tightrope. If the statement contained in the Senate report means anything, it means that the Senate committee regards the Chiang Kai-shek regime as a sort of government in exile, located at the present time in Formosa and the Pescadores, with effective control over those territories.

But I say again that the language of the treaty itself seems to be in plain conflict with this interpretation contained in the Senate report.

Mr. President, if this treaty must be approved at all—and I hope it will not be—we should attach a formal reservation as to the sovereignty of Formosa and the Pescadores.

This same comment goes for the committee statement about that portion of article 6 which permits this treaty to be radically enlarged in its scope and extent by mutual agreement between the United States Government and the Chiang Kai-shek government.

The committee report states its understanding that any such enlargement will be submitted to the Senate for its consent and approval. Why should this reservation not be attached to the treaty?

Finally, Mr. President, as to the third committee statement, regarding the right of Chiang Kai-shek to launch an attack against the mainland of China—and thus plunge the United States into a catastrophic war with Communist China, on the mainland of China—this statement in the committee report says that Chiang Kai-shek cannot launch such an attack—without our consent. It must be by joint agreement.

Again, this is not in the treaty. It is covered only by an exchange of notes between our Secretary of State and Chiang's Foreign Minister; and by this statement in the Senate report.

Why should the Senate not adopt a reservation on this point—if the treaty is to be adopted at all?

What a danger we run, and why should we run it? The idea of negotiating a military alliance with a weak and unstable regime which can, to save itself, plunge us into world war III. It is incredible. History will, I believe, say that it was incredible.

While Secretary Dulles and the President of the United States are saying that this treaty is a defensive alliance only, and that it is not designed to help Chiang reconquer the mainland of China, Chiang himself is saying publicly that during 1955 he proposes to do exactly that—to launch an attack on the Chinese mainland—with American planes, ships, guns—and men.

I wish to repeat very briefly a statement by Chiang Kai-shek reported by the Associated Press from Taipei on February 7. I quote from the dispatch in part, as follows:

Chinese Nationalist President Chiang Kai-shek said today the evacuation and redeployment of his Tachen Island troops were "posi-

tive preparations for the counterattack (against the Red mainland) and not a negative stand."

General Chiang, in a written statement, said evacuation was a "painful decision," but the latest military developments had made the Tachens lose their military value.

"The most important task of the government forces is to counterattack the Communists and recover the mainland," General Chiang said.

"Under the present military situation our government forces, in order to conserve their counterattack potential, should under no circumstances be allowed to be dissipated at such a time and place as the enemy might choose.

"To insure victory \* \* \* our first duty should be to consolidate Taiwan (Formosa), Penghu (the Pescadores), and the other islands that shield them, such as Kinmen (Quemoy), Matsu, etc."

Mr. President, I ask unanimous consent that the entire article may be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

**CHIANG CALLS MOVE FROM TACHENS STEP FOR COUNTERATTACK—MOST IMPORTANT TASK IS TO RECOVER MAINLAND, SAYS NATIONALIST CHIEF**

**TAIPEI, February 7.**—Chinese Nationalist President Chiang Kai-shek said today the evacuation and redeployment of his Tachen Island troops were "positive preparations for the counterattack (against the Red mainland) and not a negative stand."

General Chiang, in a written statement said evacuation was a "painful decision," but the latest military developments had made the Tachens lose their military value.

"The most important task of the Government forces is to counterattack the Communists and recover the mainland," General Chiang said. "Under the present military situation our Government forces, in order to conserve their counterattack potential, should under no circumstance be allowed to be dissipated at such a time and place as the enemy might choose.

"To insure victory \* \* \* our first duty should be to consolidate Taiwan (Formosa), Penghu (the Pescadores) and the other islands that shield them, such as Kinmen (Quemoy), Matsu, etc."

General Chiang's pronouncement was the first he has made on the offshore island crisis since the Reds invaded Yikiangshan January 18.

It was read to a crowded news conference by Wu Nan-ju, director of the Government information office.

General Chiang said from a strategic viewpoint he had but little regret for the transfer of Nationalist forces from the Tachens.

He said every one of the 17,000 local population had petitioned the Government "not to leave them behind to the cruelty of the Communists."

The Generalissimo expressed gratitude for "the broad assistance and protective cover in the execution of our evacuation plan so generously rendered us by the United States Government."

Mr. LEHMAN. Mr. President, I wish to point out and to emphasize that the statement which I quoted was issued by Chiang Kai-shek only 2 days ago, on February 7.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. LEHMAN. I am glad to yield.

Mr. CHAVEZ. If, as stated by the State Department, this is a defensive proposition, and is not for the purpose of carrying out the ideas of Chiang Kai-

shek, as quoted in his statement of February 7, does that not make it more necessary that a reservation to the treaty be adopted, in order to make it known to the world that that is exactly what it means?

Mr. LEHMAN. I think the distinguished Senator from New Mexico has put his finger on the crux of the situation. Unless we make such reservations, then, if the treaty is ratified, we shall be bound by the exact words of the treaty. All the statements by some of the members of the Committee on Foreign Relations will have absolutely no effect whatsoever with regard to the observance or the implementation of the treaty. I think that the very existence of those statements, which are alleged to be reservations, instead of helping the situation, actually may make the situation more perilous.

Mr. CHAVEZ. Mr. President, will the Senator yield further?

Mr. LEHMAN. I am glad to yield to the Senator from New Mexico.

Mr. CHAVEZ. I have the greatest respect for the personnel of the Committee on Foreign Relations, from the senior member, the chairman, the senior Senator from Georgia [Mr. GEORGE], down to the member having the least seniority, who I believe is the Senator from Oregon [Mr. MORSE]. I have the greatest respect for them, but I also know that, whether it be the State Department or another department concerned with appropriations, all that a department desires is to have the Senate authorize the department to do something. After that, the department regards the committee, whether it be the Committee on Foreign Relations or the Committee on Appropriations, as nothing but a nuisance. That has been my experience with the departments.

Mr. LEHMAN. I think the Senator from New Mexico is correct.

Mr. CHAVEZ. Once the departments get what they want, they do not care for the Committee on Appropriations.

Mr. LEHMAN. I think that is true. I should like to join my colleague from New Mexico in expressing my highest regard and respect for all the members of the Foreign Relations Committee. I am glad to have the opportunity to state that the distinguished chairman of the committee, the Senator from Georgia [Mr. GEORGE], is not only one of the greatest Members of the Senate, but also one of the greatest Americans. I have not the slightest doubt of his ability, and I certainly do not have any doubt with regard to the full measure of his intellectual integrity, good faith, and good will. I can say the same about President Eisenhower, so far as his honesty is concerned, but what he does not seem to understand at this time, and what I think many Members of the Senate do not understand, is that the interests of the United States and the interests of Chiang Kai-shek may very readily be at complete variance, and in all probability will be. Therefore, I think the treaty in its present form constitutes a very great peril to the United States.

Mr. CHAVEZ. Mr. President, I am really sincere and serious when I say that I cannot see what benefit would

accrue to the United States from the treaty with Chiang Kai-shek. May the Lord, with all his mysterious mercies, have pity on us if we have to depend for our defense on the forces occupying Formosa; excluding, of course, our own forces.

Mr. LEHMAN. The Senator is absolutely and completely correct in that observation.

Mr. President, what we may need to do with Chiang is not to unleash him or release him, but rather to muzzle him. That might serve the cause of peace and free-world unity.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD a supplementary memorandum prepared by Ambassador Cohen, after the passage of the Formosa resolution, taking cognizance of that action, and analyzing the Formosa treaty in the light of that action.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

**NOTE TO EARLIER MEMORANDUM ON THE PROPOSED MUTUAL DEFENSE TREATY WITH THE REPUBLIC OF CHINA**

(Prepared by Benjamin V. Cohen)

The joint resolution passed by the Congress for the defense of Formosa reinforces the validity of the contention that a treaty is neither necessary nor helpful to the defense of Formosa. Certainly it would be unwise to tie our hands by a treaty which might stand in the way of our giving the fullest cooperation to the efforts of the United Nations to obtain a cease-fire and a peaceful settlement in this troubled area of the world.

If there should be further efforts to secure the ratification of the treaty, there should be, particularly in light of the recent debate on the joint resolution, thorough consideration and discussion of the last sentence of article VI of the treaty which reads:

"The provisions of articles II and V will be applicable to such other territories as may be determined by mutual agreement."

This provision would enable the President by agreement with the Republic of China to extend the scope of the principal articles of the treaty to any or all of the islands off the shore of the mainland of China and even to the mainland of China itself without the advice and consent of the Senate or the approval of Congress. Any such extension of the treaty could radically change and transform the nature of the treaty and impose new and grave responsibilities on the United States. The provision is a dangerous and unprecedented delegation of the treaty-ratifying power of the Senate, without specification of any standards to govern the exercise of the delegated power. The President, for example, could extend the treaty to the islands off the mainland or the mainland itself even in the absence of, or unrelated to, any imminent attack on Formosa.

This provision underlines the danger pointed out in the earlier memorandum of tying the defense of Formosa by treaty with a state whose claims to the mainland and islands off the shore thereof may involve us in war not in defense of Formosa but in defense of that state's claims to the mainland.

It may possibly be urged by the proponents of the treaty that this provision was inserted in the treaty only to reassure the Republic of China that the specification of certain territories in the treaty did not preclude its claims to other territories—that is, the mainland and the offshore islands—and that the President has no intention of enlarging the territorial scope of the treaty under existing



circumstances. But if it is unreasonable to expect that the President would extend the treaty under present or immediately foreseeable circumstances, it is equally unreasonable, and unwise and unnecessary, to delegate to him any such power. If there should be a radical change in the situation not presently foreseeable, certainly the scope of the treaty should not be extended and the defense responsibilities of the United States enlarged, without the advice and consent of the Senate or without the approval of the Congress.

Mr. LEHMAN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks an article entitled "Questions on the Formosa Treaty," written by Herbert Elliston, and published in the Washington Post and Times Herald of this morning.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### QUESTIONS ON THE FORMOSA TREATY

(By Herbert Elliston)

Since more than a few Senators voted for the joint resolution on Formosa with some misgiving, and since the same Senators have been holding their breath with apprehension over the possibility of an armed collision in the straits, it behooves them to take a close look at the mutual-defense treaty with Chiang Kai-shek's regime prior to ratification.

Secretary Dulles takes issue with the view that this treaty would confer sovereignty over Formosa on the Nationalist Government headed by Chiang Kai-shek. The view has been put in memorandum form by Benjamin Cohen, and circulated, though not sponsored, by the Democratic National Committee.

To the layman the Cohen thesis looks incontrovertible. How can you sign a treaty with a government without recognizing that it has a habitation as well as a name? There were the emigre governments in wartime, of course; yet we maintained our recognition of the sovereignty of which Hitler had deprived them. This, you may say, is how we regard what Mr. Dulles, in his exchange with Foreign Minister George Yeh, calls Free China. Yes, but this particular treaty has nothing to do with mainland China, and, indeed, is intended (as everybody knows) to disengage us from Chiang Kai-shek's ambitions on the mainland. The treaty refers only to Formosa and the Pescadores. Surely, then, it implies an extension of Free China's sovereignty to Formosa.

There's the snag—"implies." Secretary Dulles by way of answer to this point says that nowhere in the treaty is the word "sovereignty" used, and that the text, moreover, does not carry that implication. That is true enough. On this reasoning, granted the purpose is to wind up Chiang Kai-shek's counterrevolution or liberation (or our connection with it), we have made a solemn compact with a government in the sky, a government with no legitimate site on the mainland or in Formosa.

Here is a reductio ad absurdum. Clearly the Nationalist authorities in Formosa would never have signed the present instrument if they shared Mr. Dulles' interpretation of it.

Sophistry has long been the complaint about Mr. Dulles. He put the idea in the heads of most of the correspondents at the 1951 peace conference with Japan at San Francisco that Japan would recognize the Chiang regime as representing all China. I made a bet (unpaid) with several of the correspondents that this was not so. At the same time the British contend they were assured that the Japanese were left perfectly free to do what they liked about Chiang Kai-shek. To this day Herbert Morrison, the

then British Foreign Minister, thinks he was "had." Both the correspondents and the British were misled. All the time in San Francisco Dulles was carrying in his pocket an exchange of letters with former Premier Yoshida pledging recognition of Chiang Kai-shek only over the territory he controlled.

In a recent book on 19th century diplomacy, A. J. P. Taylor says "diplomacy is an art which, despite its subtlety, depends on the rigid accuracy of all who practice it." The practitioner of a different art is bound to lose influence. Mr. Dulles is so legalistic that none can split a finer hair than he. To the layman this kind of negotiation comes perilously close to the disingenuous. It is wrong in every sense of the word if the parties to a transaction are not at one over the meaning of it. And, if Mr. Dulles says that the Mutual Defense Treaty does not concede sovereignty over Formosa to Chiang's regime, he will be gravely deluding the only other party to the compact.

We shall be grossly unfair to Chiang Kai-shek if we allow him to be deluded. And we shall be inviting trouble if we do not tell him. Nor will the trouble be limited to the outraged Nationalists. Throughout the world our diplomacy will be attended with suspicion. So as to avoid all this, the meaning we attach to this treaty ought to be made clear. The Senate can see to it that what according to Mr. Dulles is implicit in the treaty is made explicit in words.

What I suggest is a reservation of some kind, saying that it is the sense of the Senate that the sovereignty over Formosa is still vested in the Allies for disposition in conformity with all the interests and parties concerned.

Mr. LEHMAN. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point two very fine commentaries by Mr. Walter Lippmann on the general subject of Formosa and the situation in the Far East which we confront as a result of recent developments in that troubled and critical area.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of February 7, 1955]

#### A MAIN CLUE

(By Walter Lippmann)

In calculating the risks and in estimating the probabilities in the Far East, we need an explanation of the fact that both Peking and Washington talk as if the struggle to seize Formosa were a near possibility. Yet, except for the lone voice of Joseph Alsop who thinks that the intelligence estimates of Chinese power may be unreliable, the general assumption is that the Red Chinese do not have the military means needed to conquer Formosa. They have no navy and the hundred miles of water in the Formosa Strait are guarded by the most powerful navy in the world. Yet, as Mr. Alsop says, "The Peking government has been promising its people to take Formosa this year at the top of its voice," and "it is really hard to see why the brilliant Chou En-lai should have engaged Peking's prestige to the very hilt, if the threat to Formosa is a mere vainglorious maneuver."

Mr. Alsop's point is, I believe, well taken. The question then is why Chou En-lai, who has no navy, can afford to talk about conquering an island 100 miles out at sea? How does he think he can capture Formosa this year, or even next year? The answer to this question, and the answer to many of the obscurities and ambiguities in the whole problem, is that Chou En-lai is counting

upon the instability of Chiang Kai-shek's regime in Formosa. He could not be promising to liberate Formosa soon unless he hoped and believed that the Chinese army and officials might do on Formosa what was done so often during the civil war on the mainland—that is to say, to change sides and to make peace.

If this is the basis of Chou En-lai's hope, it is the basis of Washington's underlying fears. No doubt we believe that Chiang's regime is more solid than Chou En-lai is assuming it to be. But a dominating consideration in our whole Chinese policy is the knowledge that the regime at Formosa is fragile and that to keep it going everything must be done to bolster its morale. If the administration felt sure that Chiang's regime in Formosa were solid, it would not hesitate much longer to recognize it for what it really is—as the government not of China but of Formosa. The block to that policy is the well-grounded fear that the Chinese in Formosa would not settle down peacefully as exiles but would come to terms with the mainland Chinese.

The Chinese on Formosa tell us, and Americans who are in close touch with them believe, that Chiang's regime would crumble in disaffection and intrigue if there were cut off the practical hope of a return to the mainland. Whether or not this is the fact, the Formosan Chinese insist on it and their supporters in Washington agree with it. Yet the fact of the matter is that the United States Government has not only abandoned hope of a restoration but has put its decision in this matter in writing in connection with the proposed Formosa pact.

Nevertheless, in Formosa the decision is not regarded as final and conclusive. The speculation is still alive that the United States will be and can be drawn into a great war in which Chiang might be able to return to the mainland. The administration, afraid that morale might crumble, has allowed the government in Formosa to nourish this hope. It has at least refrained from dashing it conclusively. This desire to keep up Chiang's spirits by letting him go on hoping for war is almost surely the real reason for the costly and dangerous fuzziness about the offshore islands. These islands are not part of the strategic defense of Formosa. They are symbols of a conceivable return to the mainland.

The administration does not have a clear policy. There is in it a basic contradiction which will in one form or another have to be resolved.

On the other hand, there is the decision not to support an attempt by Chiang to return to the mainland. This decision carries with it the unavoidable conclusion that Chiang's government in Formosa is not the Government of China, and that it is not entitled to the Chinese seat in the United Nations.

On the other hand, there is the desire to keep Formosa out of Red Chinese control, and the assumption that the only way to do this is by supporting the Chinese Government in Formosa.

The combination of these two decisions would be the policy of the two Chinas, and it would be a feasible policy if only one uncertainty could be removed. That is whether the Chinese in Formosa would stay in Formosa and would not make their peace with Peking. If we could be sure of that, which we cannot be, the defense of Formosa ought to be quite feasible.

Chou En-lai's hopes are based on the belief that the Chinese in Formosa can be induced to come over to his side. We are not sure that they cannot be induced to do that. It is not a comfortable situation and that is why everyone who is serious about this business feels that he is standing on very uncertain ground.

We have staked a lot on the reliability of Chiang's regime. Yet in deciding, as our own vital interest required, against supporting his return to the mainland, we have done what is most likely to sow fatal doubts within his regime. To offset these doubts, to preserve the morale of the Chinese of Formosa, we have felt compelled to become entangled in the Chinese civil war on the offshore islands. So we find ourselves unable to draw a clear line or to take an intelligent position that can command the support of world opinion.

[From the Washington Post and Times Herald of February 8, 1955]

TOWARD A CEASE-FIRE  
(By Walter Lippmann)

The evacuation of the Tachens has now begun, and if it is successful, which we need not doubt, the position will be stronger and safer than it was before.

A great deal has been said and written about how important it is to hold positions of strength. The Tachens were not a position of strength. They were a military and political liability. They could not be defended except at the risk of a general war which no one in his senses would undertake for such unimportant territory. The Chinese Nationalist troops on them had nothing useful to do, and they were in a military trap—like the French at Dien Bien Phu. Had they been lost, instead of being evacuated, Chiang would have made the same military error as the French made when they locked up a garrison at Dien Bien Phu, locked it up in an outpost of no decisive importance which could not be defended. The story in Indochina might well have been different from what it is today if a policy of evacuation from indefensible outposts to concentrated strong points had been carried out.

These considerations apply to the other offshore islands, and the sound American policy would be to follow up what is being done in the Tachens by doing the same thing in Quemoy and Matsu. This is the surest way to carry out the policy which the President laid down in his message to Congress. The policy is to keep Formosa and the Pescadores out of unfriendly hands, and to bring about a cease-fire in the Formosa Strait. There is one way by which at present Formosa can be defended. That is by American military power. But there are two ways in which the policy of the cease-fire can be put into effect. The one—which we have been attempting—is to negotiate a cease-fire with Peiping. If they would agree to it, they would tacitly assent not to attack Formosa and we—so it is generally understood—would in return bring about either the neutralization or the evacuation of the offshore islands.

This way of arriving at a cease-fire has been rebuffed angrily by Chou En-lai. We ought not to be surprised. It was wishful thinking to suppose that the Chinese Government, which has won the civil war on the mainland, would appear as a nonmember before the Security Council in which China is represented by a faction that is no longer on the Chinese mainland. It was no less wishful to suppose that the Red Chinese would publicly sign a cease-fire which meant that they had renounced the right to complete the defeat of Chiang and to recover by force the island of Formosa.

It is most improbable that the cease-fire can be obtained by public agreement either in the U. N. or in any other kind of conference.

There is, however, another way to bring about the cease-fire for which the United States national policy calls. It can be done by direct American action, and it does not depend upon the negotiation of an agree-

ment with Peiping. This is to do in Quemoy and Matsu what we are doing in the Tachens—to evacuate them not as the result of a bargain but as a strategic measure to liquidate a position of weakness, and to fall back on Formosa, which is a genuine position of strength.

Once that is done, there will be in fact, whatever Peiping may or may not agree to, a practical cease-fire in the Formosa Strait. Pin-prick bombing and shooting and raiding, which the Nationalists do from these offshore islands, will stop. There will be a hundred miles of blue water between Red China, which has no navy, and Formosa, which we are defending. In a military sense this will be for all practical purposes a cease-fire between the two Chinas—as there is between the whales and the elephants who cannot get at one another. Formosa will not be in Peiping's military orbit. The fantasy of putting Chiang back on the mainland by an all-out American war will have been dissipated. The risk of a great war over trifling islands will have been greatly reduced. We shall have protected our genuine, as distinguished from our fictitious interests, and we shall have the moral and political support of our allies.

It will be said by some that to evacuate the islands is appeasement. But if we are talking about appeasement and about prestige, which is the former American policy: to sell these islands for a cease-fire, treating them as pawns in a bargain, or get rid of them as military and political legal liabilities, and to take a stand on a line—that of Formosa and the Pescadores—which is a defensible legal line, a defensible strategical line, which is a sound political line in that it has the support of our allies?

I think it is more dignified to evacuate the islands for our own reasons than to sell them to obtain the benefits of a truce. We can have the benefits of the truce without bargaining and by our own voluntary action.

There is only one considerable doubt about this policy. It is whether Chiang can be induced to agree to it without demoralizing his army and his officialdom. There is no denying that that could happen. But we have to remember that if it is going to happen because of the evacuation of the offshore islands, it is going to happen anyway. For the administration has taken the fundamental decision not to support a war for the reconquest of the mainland. It cannot be sound policy to use Quemoy and Matsu as a way of allowing the Formosan Chinese to deceive themselves into thinking that the administration does not mean what it says. It cannot be sound policy to use these islands as bait to the Formosan Chinese, as a way of causing them to keep on thinking that the United States can be pushed, pulled, ensnared, and entangled into the kind of war that the United States has decided not to wage.

We cannot go on forever, or for long, sacrificing the national interests of the United States to our fears and to our guesses of what will and what will not happen to the morale of Chiang's regime. If our true interest is to evacuate the offshore islands and to stand on the legal line of Formosa and the Pescadores, then we owe it to the people of this country to follow our true interest, refusing to let high policy be controlled by the internal politics of the Formosa regime.

Mr. LEHMAN. Mr. President, I also ask unanimous consent that a speech on this subject, delivered by Hon. Thomas K. Finletter, former Secretary of the Air Force, on this general subject—a speech containing some very constructive suggestions as to what we ought to do about Formosa—be printed in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF THOMAS K. FINLETTER AT ROOSEVELT DAY DINNER, WASHINGTON, D. C., FEBRUARY 5, 1955, UNDER AUSPICES OF AMERICANS FOR DEMOCRATIC ACTION

It is now nearly 10 years since the death of the great President whose memory and achievements we honor tonight.

It is often said that one of these great achievements—the New Deal—has had its day; and that the Democratic Party had better stop thinking of the old policies of the 1930's and 1940's and of the coalition of groups of voters which brought it the victories of those days.

This attitude misunderstands what Franklin D. Roosevelt did for the Democratic Party and for the country from 1933 on. For, while it is true that the Roosevelt revolution is now a part of our accepted social fabric and that a party cannot live on the remembrance of things past, there is one part of the New Deal that still lives on with continued, dynamic vitality. That is its deeply felt concern for the just and right, and its spirit of adventure in seeking the good.

I am not speaking, of course, of the aggregation of policies of the 1933-40 period. Nor do I mean the result of those New Deal policies—the coalition of groupings of voters which kept the Democratic Party in power for 20 years.

I mean the spirit which motivated these policies, a spirit whose great quality is a willingness to make a change, to try the untried, if doing so will help satisfy a deeply-felt urge to defeat injustice, illiteracy, ill health and poverty, and to see to it that the people of America have full access to the privileges of freemen.

It is important that this spirit be kept alive and vigorous. Important to the Democratic Party. Important to all the people of the country.

I do not believe that the Democratic Party can win the votes of the American people unless it keeps this sense of adventure for the good. The one thing the Democratic Party has which the Republican Party has not, is this spirit.

The reason the country went normally Democratic in 1933 and has stayed that way is because after their experience with Presidents Franklin Roosevelt and Harry Truman the people came to believe in the Democratic Party. The reason they believed in it was that they were right in believing it. The party was not fooling them; it was not trying to win votes with favors and promises of favors. This was not circuses and bread. It was the real thing.

I do not mean that the Democratic Party was not trying to win the votes of the people during the Roosevelt and Truman administrations. Of course it was. But it was the way it sought the votes that was important. It sought them by offering the best merchandise for the money. It did not offer shoddy goods. It did not offer goods that looked well on the surface but were intended to wear out so that replacements would have to be bought. It did not rely on advertising, packaging, or merchandising. It offered the best it could make, the goods which would serve the customer best.

Of course there were failures, of course there were exceptions to this high-minded New Deal standard. The Democratic Party being part of the human race is not perfect. But I do think that this description I have just given rightly describes the spirit which dominated the Roosevelt and Truman administrations.

At the moment temptation is in the air. For there is another way of appealing for the votes of the people and it seems to be mighty effective with so many of the voters. This



other way is the opposite of what I have described as the New Deal way. It is the way of salesmanship, of the bad kind of salesmanship, the kind that does not concern itself with the quality of what it sells. It is a political salesmanship which seeks to keep the people's mind off the issues that are important, the issues on which we Democrats know the people would support us if it were possible to have a debate on the merits. This political salesmanship is a short-term operation. It uses gadgets and tricks whose impact is immediate, violent, and effective. It focuses on getting those votes in that next election. It relies heavily on the techniques of advertising. It sometimes—too often, alas—relies on falsehoods. Worst of all, on issues of great importance it often puts the interests of the party above those of the country. This political salesmanship is in a deep sense unconstitutional. For unless we use restraint in our struggles between the two great parties, unless we mark a boundary beyond which it is not permissible to go, no matter how close the election and how much either party wants to win it, our constitutional system will not stand the strain upon it. All Americans know or should know that this boundary is, in any given circumstance. It is where the politicking begins to harm the interests of the country. And all Americans know or should know that this boundary has been badly violated in the recent past.

There is a real problem for the Democratic Party how to meet this kind of political campaigning. It is all very well to say, let us believe in and practice the right, and right will triumph. But it is understandable that men in the Democratic Party should think: Let us fight fire with fire, we can have our ideals (to be put into practice when we get into power) but there is this important preliminary business of getting elected. Let us fight this battle with the weapons, however illegitimate they may be, which now seems to be the customary ones. Then, having beaten our opponents at their own game, we can go back to being what we really are.

Fortunately, for its own sake and for the country's, the Democratic Party has no intention of meeting fire with fire in this way.

The Democratic Party can defend itself against the techniques of salesmanship only by having confidence in the American people and by doing what it can to unmask the slogans and the advertising, and the falsehoods, so that the voters will be able to judge the two parties on the merits of their intentions and their acts.

But at the same time, the Democratic Party must continue to be better than the Republican Party on the merits. This it will not do unless it keeps up that readiness to explore and that concern with the well-being and the individual rights of human beings which are the substance and the soul of the New Deal.

It is not only of the political fortunes of the Democratic Party, of which I am speaking. For as goes this struggle between political salesmanship on the one hand and the spirit of responsibility and concern for the right on the other, so will go the future of the American ideal of individual liberty under law. Unless the spirit of adventure in method and of idealism in substance wins out, liberalism in the United States will not come safely through the crisis in which we now are.

May I digress to defend that word "liberalism"? I might have used the word "freedom," and that would have been unexceptionable. But it is high time that we reject the slurs that have been put on the words "liberal" and "liberalism" and restore them to the high estate to which they are entitled. Liberalism is the method of freedom. If we let slander take that word away from us we shall have lost something of priceless worth.

And slander is the way our opponents often take to try to make us give up the principles in which we believe.

May I add, too, that Americans for Democratic Action, now, and particularly now, has an important role in this struggle. The fundamental rights of freemen for which this country fought the Revolutionary War, and for which it has battled ever since, are under attack. Liberalism and idealism, and the organizations that stand for liberalism and idealism, as does the ADA, are the targets. Liberalism and those who support it are the bulwarks of the rights of freedom. They must not yield; they must be brought through the crisis in which they are now, to their old high place of prestige and honor in our great country.

It is for these things, for the substance of freedom and the method of liberalism, that we are now fighting. It is not alone, or even I think primarily, our physical safety which is threatened by Russia and its evil creed of communism. Of equal importance with our hides are our souls. And so far it is the latter which have received the worst wounds and are the most threatened, not, tragically enough, by our enemies but by ourselves.

This integrity of the creeds and of methods of freedom is an end, indeed the greatest of political ends, in itself. So I could stop this argument at this point, and say that the end of freedom and the means of liberalism must be defended for their own sake against these improper and unconstitutional attacks that are being made upon them.

But there is one more point that is important and should be said. It is that unless we show considerably more respect for the proper limits of political debate on matters affecting our foreign policy, if we continue this idea that anything goes in politics so long as it wins votes, regardless of what harm it may do to our efforts to defend ourselves in the world and to seek peace, then we cannot possibly have a proper foreign policy and cannot possibly defend ourselves adequately in the dangerous world in which we live.

Already our failure to respect the proper limits of political debate, our injection of domestic political considerations into our national policies, have harmed us grievously in many ways.

It has harmed us in the image which we project of ourselves abroad. Our failure to stand by our principles of freedom and of liberalism at home have worried our friends in Europe and have discredited us in Asia.

Our use of slogans and catchwords has impaired our military strength. Slogans have actually cut into our military striking power, slogans such as the curious notion that cutting the military budget will give us more military strength than we had when we spent more money under the Democratic administrations; that a new magic efficiency will give us, in the words of that inelegant slogan, "more bang for a buck"; the talk of "paper wings" in the Air Force under the Democrats; and by those who put budget balancing above the Nation's safety, the line that the Russians are plotting to trick us into spending ourselves into bankruptcy.

Slogans such as these have cut our military budget below the safe level, and similar slogans have weakened our foreign policy or led it into dangerous paths in Europe and in Asia.

As a result our prestige and our influence are at new lows in Europe and in the world outside of Europe.

We used to say, somewhat immodestly, that we, the United States, were the leaders of the free world. We do not hear so much of this talk now, not since the British and French took over the responsibilities of the free world at the Geneva Conference last November, after the Chinese had defied all our threats of massive violence and, disregarding the large chip on our shoulder, con-

quered Dien Bien Phu and all of northern Vietnam. Nor was our talk of our world leadership stimulated by the French rejection of the European Defense Community in the face of the most awesome warnings from us that we would massively withdraw from Europe unless she signed the EDC treaty promptly.

At the moment it is in Asia where we are in special trouble, with the dangerous crisis of Formosa, the second such we have had within a year. First it was in Indochina where threats by the United States clashed with Chinese aggression, and we came close to war. Now it is in the Formosa Straits.

This is not the time, unfortunately, to talk about how we got into our present position of defending Formosa and the Pescadores, alone, without allies, and not as part of an agreed United Nations position. Nor is this the time to discuss the merits, or lack of merits, of the foreign policies, and of the domestic political partisanship which brought this about. The critical nature of our position in the Formosa area, and the truculence of the Red Chinese, put upon all of us the obligation to support the President unitedly if the Red Chinese try to take Formosa and the Pescadores by war.

At some later date, when the situation, let us hope, will have become less dangerous, we must discuss this Far Eastern policy of the administration, and particularly how it is that we got ourselves into the position of being alone the defenders of Formosa, and why we have failed to try to internationalize our position of trusteeship in the area. For the present we must be restrained in our debate so that the Chinese and the Russians will have no grounds at all for doubting of our unity and our determination.

But this is not to say that there shall be no debate at all upon our Formosan policy. As long as we make clear to the Chinese and the Russians that we are united to resist any attempt by them to take Formosa and the Pescadores by war we may properly question various aspects of our policies in that area. The Chinese and the Russians will understand that debate in a free democracy is a proof and a source of strength, not of weakness.

The debate of this issue has already clarified and improved our agreed national policy. We have been assured by the President that he alone and not his military or his other advisers, especially the less temperate ones, will make the decisions where and how we are to fight if we are to. And we have been assured too that the President will allow our Armed Forces to be used for defensive purposes only.

I say our Armed Forces, for no one can be sure that once the fighting starts it can be limited to air and sea forces alone, or that it can be surely confined to the area of Formosa and the adjacent mainland, or even to the continent of China itself. Let us not delude ourselves with the notion which has been so prevalent in much of our Far Eastern policy, that if we do have to fight we can do so cheaply, as the West used to do during the weak period of China under the Manchus and the Republic of 1912. There is no sure foreseeable limit to the fighting once it may start in the Formosa Straits.

So, in our constructive debate on the Formosa policy we may ask some questions. We may question whether it is a good practice to give warnings to our enemies, in advance, of just what we will and will not do with respect to this and that area of the world, and whether these warnings should be made by the executive branch alone or in the form of a joint resolution submitted to the Congress for its action. My own view is that as a general matter this policy of specific warnings should be applied only in exceptional cases; but that in the present instance it was necessary to use it. This, for the reason that our failure to follow through in Indochina on our warnings to the Chinese Reds about

massive retaliation if they advanced farther into Vietnam might have given the Red Chinese the idea, unless we had fortified our warnings about Formosa by the debate in Congress on the joint resolution, that we would also fall to react if they attacked Formosa and the Pescadores.

We may also ask whether the administration still wishes to press for a ratification of the United States-Nationalist China Defense Treaty, or whether events have not so changed that this treaty would now run counter to the prospects of internationalizing Formosa and the Pescadores.

And, in this connection, we may ask for a clarification of the reasons for our position in Formosa. During the course of the tough line we have been following, alone, in the Far East recently we took on some serious moral commitments, including this commitment to Formosa and the Pescadores to defend them if they were attacked by the Red Chinese. But it is not clear whether this moral commitment is the basis for the action we have taken in the recent joint resolution or whether the basis for it is the military importance to the United States of Formosa and the Pescadores. The joint resolution itself seems to indicate that the reason is that "the secure possession by a friendly government of the western Pacific island chain, of which Formosa is a part, is essential to the vital interests of the United States." If this is true, the situation is very serious indeed. The word vital means necessary to life, the life that is, of the United States. This premise, it seems to me, needs some examination.

Particularly, too, may we ask about this question of the internationalization of the islands, of our giving up our go-it-alone policy there. Why is it that the policy of internationalization of Formosa, which had been begun at the time of the Korean war, has been neglected?

You will remember that shortly after the Korean war President Truman announced that the future of Formosa and the Pescadores would be decided in the Japanese Peace Treaty or by the United Nations. Later in the same year 1950, in a note to Russia, the United States proposed a peace treaty with Japan which would have the four major powers concerned, Russia, China, Britain, and the United States, decide the future of these islands; or if they failed to agree within 1 year, would have the matter settled by the General Assembly of the United Nations where, it will be noted, there is no veto.

The Japanese Peace Treaty was finally signed, not just by the United States alone, but by 48 other nations. Certain areas not including Formosa and the Pescadores, were trusted with the United Nations, with the United States as the sole administering authority; but the future of Formosa and the Pescadores was left open. Japan relinquished her claims to them, but where the title went to was not clear. If it went anywhere it would seem to have gone to the 48 nations which signed the peace treaty with Japan, as trustees, and with the duty to turn over their trust responsibilities to the United Nations just as soon as that body would accept them.

Clearly this Formosa-Pescadores problem is no longer a matter for the United States alone. It is for the United States to insist not only that the United Nations resist any aggression by the Red Chinese and do its best to arrange a cease-fire, but also that it relieve the United States from the go-it-alone responsibility which the United States has assumed for the protection of these islands, and further, that the United Nations take over the juridical duty of adjudicating the future of the inshore islands and of Formosa and the Pescadores as well.

The United States, I believe, should give up entirely this go-it-alone policy in Formosa and the rest of the Far East and should substitute for it a policy founded on juridical

commitments and juridical principles. If we stop showing how tough we are and start showing how lawful we are we may have success and peace in our policy in the Far East.

Admittedly, we are dealing with a truculent and difficult enemy in that part of the world, who is not concerned with law, an enemy who has little interest in juridical principles. But if we, the United States, show that our concern is to do what is right and lawful, we may be sure of two things. First, that our national security will not be thereby impaired; on the contrary, it will be strengthened. And, second, that world opinion will support us and not the Red Chinese.

If we follow the opposite course, if we purport to act as the go-it-alone arbiter of much of the world, we shall imperil our politico-military security and we shall not have the support of world opinion.

Thus, because of the dangerous importance to the American people of the Formosan question, one is justified I believe, in suggesting that our policy there follow certain lines. For example:

1. The country will support the administration in the defense of Formosa and the Pescadores if the Red Chinese make war to conquer them.

2. We should quickly liquidate the position we find ourselves in of being alone, without allies, and not as a part of the United Nations, in defending Formosa and the Pescadores. We should quickly, wholeheartedly, and forcefully submit to the United Nations that the defense of Formosa and the Pescadores be internationalized; that those who, under international principles and international commitments are responsible with us for this defense, join fully in it; and that the responsibility for deciding the juridical status of Formosa and the Pescadores, and of the inshore islands as well, be internationalized. These tasks should, most preferably, be undertaken by the United Nations. The solitary, go-it-alone position of the United States should be liquidated as rapidly as it can be.

3. The Armed Forces of the United States must be used only and strictly only for defensive purposes. The Commander in Chief will decide what that requires. But it is of the highest importance that our United States forces be so deployed and employed as to avoid any legitimate charge that they have been provocative. It must be very plain, for world opinion and more importantly for United States opinion, that if shooting starts in this area it will be unmistakably the result of Red Chinese initiative.

The United States, which Franklin Delano Roosevelt did so much to build, is in a dangerous crisis. We must pray, devoutly and more solemnly than we may have for a long time, that we shall come safely through it, with honor, and with peace.

Mr. LEHMAN. Mr. President, I see absolutely no need for this treaty. If it is to be approved, it should be approved with the reservations indicated in the committee report, formally attached to the treaty by vote of the Senate.

I am very glad indeed and proud to have been able to associate myself with the distinguished senior Senator from Oregon [Mr. MORSE] and other Senators in the submission to this body of amendments to the resolution which make it very clear that the reservations do not represent merely opinions of the Committee on Foreign Relations, but the actual decisions and viewpoints and agreement of the Senate as a whole.

But even with the reservations, Mr. President, the treaty would be of dubious

advantage to the United States under present circumstances. I can see no benefit from it. But without the reservations, the treaty, in my judgment, is a menace to free-world unity, to our own security, and the cause of peace. I shall certainly vote against it.

Moreover, and finally, Mr. President, I see no reason why the United States should tie its hands under the terms of this treaty and enter into an alliance of indefinite duration with the Chiang regime. We have nothing to gain. We have peace and free-world unity to lose.

The goal of peace, with honor and security, beckons to us. The prospect is dim, shrouded over by an almost impenetrable haze of uncertainty and arduous difficulty. Yet we dare not be disheartened or discouraged. We dare not tarry or dally, or take any side roads or detours skirting the dangerous realm of unprovoked war.

Mr. President, and my colleagues in the Senate, let us put aside this treaty. Let us think and reflect upon it. Let us rely on strength and firmness, patience and reasonableness, backed up by a resolve to explore every avenue that leads to peace, meanwhile making clear our firm intention to act in concert with the other free nations of the world to resist unprovoked aggression and the Communist conspiracy against the sacred cause of freedom.

Mr. President, I yield the floor.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. MONROE in the chair). The Senator from California will state it.

Mr. KNOWLAND. Is one of the reservations offered by the Senator from Oregon [Mr. MORSE] pending at this time?

The PRESIDING OFFICER. There is no reservation pending at this time.

Mr. MORSE. Mr. President, will the Senator yield so that I may announce my intentions?

Mr. KNOWLAND. I yield to the Senator from Oregon.

Mr. MORSE. I intend to offer first two amendments to the treaty. Then I intend to offer two reservations to the resolution of ratification. When the debate progresses to the point where I can offer my first amendment, which is now in the process of drafting, I shall do so. I have no desire but to cooperate in getting the earliest possible vote on this matter consonant with the right of all my colleagues to be heard and to express their views on the issue.

The PRESIDING OFFICER. The treaty is in the Committee of the Whole and open to amendment. Reservations will be in order on the submission of the question, Will the Senate advise and consent to the ratification of the treaty, which is a subsequent question, after amendments, if any, are proposed to the treaty.

Mr. KEFAUVER. Mr. President—

The PRESIDING OFFICER. The senior Senator from Tennessee is recognized.

Mr. KEFAUVER. Mr. President, I shall have to vote against the proposed treaty. I shall do so with reluctance, but I do not believe that the proposed



treaty is in the interest of peace. I can see no reason for having our Nation enter into treaty obligations with the government of Chiang Kai-shek.

By joint resolution which the Senate passed only a short time ago, the Senate and the House of Representatives agreed to do all that the pending treaty would do. I voted reluctantly and against my better judgment for the joint resolution, in order to support the President. But, much as we wish to support the President in matters of foreign relations, there comes a time when I feel each Senator must follow his honest convictions.

Mr. President, one reason why I voted for the joint resolution which was before the Senate on January 28 was that prior to the vote on the joint resolution being taken, I was given to understand—and I think most other Senators so understood—that a resolution would be considered and agreed to by the Senate on Tuesday or some other day early in the week following the passage of the Formosa joint resolution. The resolution to which I refer appears on pages 990-991 of the CONGRESSIONAL RECORD of January 28. I ask unanimous consent that that resolution be printed at this point in the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the resolution (S. J. Res. 55) favoring action by the United Nations to terminate hostilities between Communist China and Nationalist China, submitted by Mr. HUMPHREY (for himself, Mr. SPARKMAN, Mr. MORSE, Mr. MANSFIELD, Mr. FULBRIGHT, Mr. LEHMAN, Mr. MAGNUSON, Mr. NEUBERGER, and Mr. HILL), was ordered to be printed in the RECORD, as follows:

Whereas the President of the United States on January 19, 1955, stated that he would "like to see the United Nations attempt to exercise its good offices" with respect to arranging a cease-fire between Communist China and Nationalist China;

Whereas the President in his message of January 24 stated that the situation in the Pacific area "is one for appropriate action of the United Nations under its charter"; and

Whereas House Joint Resolution 159 provides that it shall expire when he determines that peace in the area is "reasonably assured by international conditions created by action of the United States or otherwise": Now, therefore, be it

*Resolved*, That it is the sense of the Senate that it would be in the interest of the United States and of world peace for the United Nations to take prompt action to bring about a cease-fire in the area of hostilities off the coast of China and in the Formosa Strait, and the President is requested to take appropriate steps to achieve that objective.

Mr. KEFAUVER. Mr. President, the general provision of that resolution is that it is the sense of the Senate that the Formosa problem should be submitted vigorously by the United States to the United Nations, with the request that the United Nations use its best offices to bring about a cease-fire and to take other steps in an effort to stabilize conditions and bring about peace in that part of the world.

It was my understanding that that resolution would be considered favorably by the Foreign Relations Committee. Question was asked of the distinguished

chairman of the committee [Mr. GEORGE]—as appears on page 990 of the CONGRESSIONAL RECORD; and he said that, so far as he knew, there was no opposition to that resolution.

At that time, apparently, the distinguished minority leader [Mr. KNOWLAND] and the former chairman of the Foreign Relations Committee, the senior Senator from Wisconsin [Mr. WILEY], were present. Yet for some reason, that resolution has not come from the committee. I know that the Senator from Georgia was stating the situation just as he saw it when he said he knew of no opposition to the resolution. I have been advised that some minority members later objected to it in the Foreign Relations Committee and it was killed.

Had I not felt the resolution would be considered promptly and promptly agreed to by the Senate, I would have voted against the Formosa joint resolution.

Mr. President, my position on this entire matter is set forth in an amendment in the nature of a substitute for the joint resolution, which I submitted and which was voted on at the same time, namely, on January 28, when the Formosa joint resolution was before the Senate. The amendment I submitted appears on page 981 of the CONGRESSIONAL RECORD of January 28. I now ask unanimous consent that the amendment be printed at this point in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

Whereas the primary purpose of the United States in its relations with all other nations is to develop and sustain a just and enduring peace; and, in conformity with that purpose, has undertaken as a member of the United Nations to be ready to settle its international disputes by peaceful means in such a manner that international peace and security and justice are not endangered; and

Whereas the treaty of peace between the Allied Powers and Japan, signed September 8, 1951, under which Japan renounced all right, title, and claim to Formosa and the Pescadores, did not specify the ultimate disposition of such islands; and

Whereas the United States has recognized and assumed a responsibility for the peace and security of Formosa and the Pescadores pending definitive settlement of their future status, and pending such settlement has recognized the jurisdiction of the Republic of China over these islands; and

Whereas in China or certain areas thereof there is armed conflict between the Republic of China and the Chinese Communists, and the Chinese Communists are threatening to extend that conflict and endanger international peace by armed attacks on Formosa and the Pescadores; and

Whereas the situation is one appropriate for action by the United Nations for the purpose of ending the present hostilities off the coast of China and their threatened extension in the Formosan Strait which clearly endanger international peace and threaten seriously to dislocate the existing, if unstable, balance of moral, economic, political, and military power upon which the peace of the Pacific depends; and

Whereas the United States would welcome intervention by the United Nations to bring about a cessation of hostilities off the coast of China and in the Formosan Strait, and it is in the interest of the United States and of world peace to facilitate efforts toward peaceful settlement, including a definitive settlement of the future status of Formosa

and the Pescadores in accordance with the principles of the United Nations Charter; and

Whereas, pending action by the United Nations, the United States has a responsibility to protect and defend the peace and security of Formosa and the Pescadores from armed attack, since the peace and security of these islands are essential to the peace and security of the United States and other nations with vital interests in the west Pacific: Therefore be it

*Resolved, etc.*, That it is the sense of the Congress—in light of the above-described situation and so long as it continues, pending effective action by the United Nations to maintain peace and security in the Formosan Strait and the waters surrounding Formosa and the Pescadores—the President has authority to employ the Armed Forces of the United States if and as he deems necessary for the specific purpose of defending and protecting Formosa and the Pescadores from armed attack. Such authority would include the taking of such other measures consistent with international law and our obligations under the United Nations Charter as he judges necessary to appropriate militarily in the defense of Formosa and the Pescadores.

Mr. KEFAUVER. Mr. President, in referring to that amendment I particularly desire to call attention to the proposal that the matter of a cease-fire be submitted to the United Nations, and that the Congress of the United States ask the United Nations to try to perfect a settlement of this whole troublesome issue. Of course, my amendment in the nature of a substitute was rejected; but I think our best chance of avoiding war in that area of the world—and certainly no one wishes to have war in the Far East or anywhere else, if we can honorably avoid it—is to get behind the expression in the amendment I submitted, and which was also contained in the resolution which was submitted by the Senator from Minnesota [Mr. HUMPHREY], which I felt would be favorably acted upon by the Senate, and try to see whether we can back up the United Nations efforts not only to secure a cease-fire, but also to settle this entire problem.

In my substitute I was willing to have our forces used to defend Formosa and the Pescadores, but I did not want our country to become involved with Chiang Kai-shek over the coastal islands. Also I wished the Government of the United States to make an even more vigorous effort to secure United Nations assistance looking to a peaceful settlement.

Mr. President, I do not wish to give the color of sovereignty and permanency to the government of Chiang Kai-shek on Formosa and the Pescadores. I think by inferentially agreeing in this treaty that he has vested title or sovereignty to these two islands we would be faced with many, many difficulties in the days to come. Such an inferential agreement might make it impossible for the United Nations to work out any solution of this problem. Chiang Kai-shek's forces are there by our tolerance, and they do not represent by any stretch of the imagination a permanent solution of the future of Formosa. We should not ratify an unnecessary treaty which may be interpreted by much of the world as giving permanency to that arrangement.

I do not see how this treaty accomplishes anything not accomplished by the joint resolution we have already passed, and it has many foggy, if not evil, implications. The world knows and Chiang Kai-shek knows that we are committed to the defense of Formosa and the Pescadores. I regret that the previous joint resolution included some coastal islands. We must try in every way not to be drawn into a war over these islands.

But, Mr. President, what more can this treaty do? The only thing further that this treaty can do is to muddy the water—rather than to make it clear—regarding the position we have before the world, insofar as the defense of Formosa and the Pescadores is concerned.

As I see it, we have no right to give permanency to Chiang Kai-shek or to acknowledge his ownership of the island of Formosa. It also seems to me that the treaty would tie our hands in trying to secure United Nations action on this very important problem. If we are going to take the position that Chiang Kai-shek is there by some right of sovereignty, then there is not very much use in trying to have the United Nations undertake to negotiate in connection with that question.

Furthermore, Mr. President, if we limit our position to the defense of Formosa and the Pescadores, without a treaty, then we have a sound right, it seems to me, to call upon all our allies who were engaged with us in World War II, as a result of which Japan relinquished these islands, for their help in the event of war. They have an interest there, because they, too, are interested in seeing that these islands are in friendly hands. They have a moral and a legal obligation to back up our position, because they, too, were fellow combatants against Japan in that war. Mr. President, if we act unilaterally and if we ourselves, acting alone, try to settle the future of Formosa and the Pescadores—as this treaty at least inferentially would do—then I think we might thereby release them from any obligation to stand with us if things in that part of the world were to go to the bad.

Mr. President, I have a firm conviction that, insofar as action by the United Nations is concerned, we did not act wisely in connection with the resolution which we passed on January 28. I think the step now proposed will be an even more important and perhaps disastrous one, and will make our position such that there will be little leeway and little opportunity for negotiation. I cannot see that the ratification of the pending treaty will help us. I am not in favor of tying our future with the future of Chiang Kai-shek. We have gone along far enough with him.

Whether we agree to it or not, by entering into a treaty of this kind with him, we more or less underwrite other actions he may take in connection with the coastal islands or even with the mainland of China, even though we might object to that.

The distinguished senior Senator from Virginia [Mr. BYRD] has pointed out most forcefully, in the course of his re-

marks as they were printed in the RECORD, that Chiang Kai-shek's motives and aims are diverse from ours. That being true, I think we would make a mistake by tying up ourselves with him in the pending treaty. This treaty is not the road to peace.

The PRESIDING OFFICER. The treaty is before the Senate as in the Committee of the Whole, and is open to amendment.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Flanders	McNamara
Allott	George	Millikin
Anderson	Gore	Monroney
Barkley	Green	Morse
Barrett	Hayden	Mundt
Beall	Hennings	Murray
Bender	Hickenlooper	Neely
Bennett	Hill	Pastore
Bible	Holland	Payne
Bricker	Humphrey	Potter
Butler	Ives	Robertson
Byrd	Jackson	Russell
Carlson	Johnston, S. C.	Scott
Case, N. J.	Kefauver	Smathers
Chavez	Kerr	Smith, Maine
Clements	Knowland	Smith, N. J.
Curtis	Langer	Sparkman
Daniel	Lehman	Stennis
Douglas	Long	Thurmond
Duff	Magnuson	Thye
Dworshak	Mansfield	Wiley
Ellender	Martin, Iowa	Williams
Ervin	McClellan	

The PRESIDING OFFICER. A quorum is present.

Mr. MORSE. Mr. President, I call up my amendment No. 1, and ask that it be read.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. At the end of article VIII it is proposed to add a new sentence as follows:

This treaty does not affect or modify and shall not be interpreted as affecting or modifying the legal status or sovereignty of the territories to which it applies.

Mr. MORSE. Mr. President, on the amendment I ask for the yeas and nays.

Mr. KNOWLAND. Mr. President, I join in the request for the yeas and nays.

The yeas and nays were ordered and the legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Texas [Mr. JOHNSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from West Virginia [Mr. KILGORE], the Senator from Oregon [Mr. NEUBERGER], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I announce further that if present and voting, the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Texas [Mr. JOHNSON], and the Senator from West Virginia [Mr. KILGORE], would each vote "nay."

I announce also that if present and voting, the Senator from Oregon [Mr. NEUBERGER], would vote "yea."

Mr. KNOWLAND. I announce that the Senators from New Hampshire [Mr. BRIDGES and Mr. COTTON], the Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from Illinois [Mr. DIRKSEN], the Senator from Arizona [Mr. GOLDWATER], the Senator from Nebraska [Mr. HRUSKAL], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Kansas [Mr. SCHOEPPLE], the Senator from Utah [Mr. WATKINS], and the Senator from Idaho [Mr. WELKER] are absent on official business, and if present and voting, each would vote "nay."

I also announce that the Senator from California [Mr. KUCHEL] is necessarily absent, and if present and voting, would vote "nay."

I also announce that the Senator from Connecticut [Mr. PURTELL] is necessarily absent because of illness and if present and voting, would vote "nay."

The Senator from South Dakota [Mr. CASE], the Senator from Indiana [Mr. JENNER], the Senator from North Dakota [Mr. YOUNG], and the Senator from Nevada [Mr. MALONE] are also absent on official business.

Mr. MAGNUSON. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Washington is recorded as having voted in the affirmative.

Mr. SPARKMAN. Mr. President, how am I recorded?

The PRESIDING OFFICER. The junior Senator from Alabama is recorded as having voted in the negative.

Mr. HENNING. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Missouri is recorded as having voted in the negative.

Mr. ROBERTSON. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Virginia is recorded as having voted in the negative.

Mr. HILL. Mr. President, how am I recorded?

The PRESIDING OFFICER. The senior Senator from Alabama is recorded as having voted in the affirmative.

Mr. BIBLE. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Nevada is recorded as having voted in the negative.

Mr. DANIEL. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Texas is recorded as having voted in the negative.

Mr. HOLLAND. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Florida is recorded as having voted in the negative.

Mr. LANGER. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from North Dakota is recorded as having voted in the affirmative.

Mr. CHAVEZ. Mr. President, how am I recorded?



The PRESIDING OFFICER. The Senator from New Mexico is recorded as having voted in the affirmative.

Mr. ERVIN. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from North Carolina is recorded as having voted in the negative.

Mr. MANSFIELD. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Montana is recorded as having voted in the negative.

Mr. JACKSON. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Washington is recorded as having voted in the negative.

Mr. McNAMARA. Mr. President, how am I recorded?

The PRESIDING OFFICER. The junior Senator from Michigan is recorded as having voted in the negative.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. RUSSELL. Would it be in order to request a recapitulation of the vote at this time?

The PRESIDING OFFICER. The Chair will state that that would not be in order until after the result is announced.

Mr. RUSSELL. Under what rule, Mr. President?

The PRESIDING OFFICER. It is impossible to recapitulate until the result of the vote is known.

Mr. RUSSELL. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Georgia is recorded as having voted in the negative.

Mr. KERR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KERR. Could a recapitulation be had by unanimous consent, and would such a request be in order?

The PRESIDING OFFICER. Yes.

Mr. KERR. I so request.

Mr. KNOWLAND. Mr. President, I would have to object.

The PRESIDING OFFICER. The unanimous-consent request made by the senior Senator from Oklahoma is that the vote be recapitulated at this time. The senior Senator from California rises.

Mr. KNOWLAND. Mr. President, I object.

Mr. KERR. Mr. President, will the Senator from California withhold his objection?

Mr. KNOWLAND. I shall be glad to withhold my objection.

Mr. THURMOND. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from South Carolina is recorded as having voted in the negative.

The result was announced—yeas 11, nays 57, as follows:

## YEAS—11

Chavez	Kefauver	Morse
Gore	Langer	Murray
Hill	Lehman	Stennis
Johnston, S. C.	Magnuson	

## NAYS—57

Alken	Dworshak	McNamara
Allott	E. lender	Millikin
Anderson	Ervin	Monroney
Barkley	Flanders	Mundt
Barrett	George	Neely
Beall	Green	Pastore
Bender	Hayden	Payne
Bennett	Hennings	Potter
Bible	Hickenlooper	Robertson
Bricker	Holland	Russell
Butler	Humphrey	Scott
Byrd	Ives	Smathers
Carlson	Jackson	Smith, Maine
Case, N. J.	Kerr	Smith, N. J.
Clements	Knowland	Sparkman
Curtis	Long	Thurmond
Daniel	Mansfield	Thye
Douglas	Martin, Iowa	Wiley
Duff	McClellan	Williams

## NOT VOTING—28

Bridges	Hruska	O'Mahoney
Bush	Jenner	Purtell
Capehart	Johnson, Tex.	Saltonstall
Case, S. Dak.	Kennedy	Schoeppel
Cotton	Kilgore	Symington
Dirksen	Kuchel	Watkins
Eastland	Malone	Welker
Frear	Martin, Pa.	Young
Fulbright	McCarthy	
Goldwater	Neuberger	

So Mr. MORSE's amendment was rejected.

The PRESIDING OFFICER. The treaty is still open to amendment.

Mr. MORSE. Mr. President, I call up my amendment No. 2, and ask that it be read. Before it is read, I ask for the yeas and nays on it.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Oregon.

The LEGISLATIVE CLERK. It is proposed to strike out the last sentence in article VI, as follows:

The provisions of articles II and V will be applicable to such other territories as may be determined by mutual agreement.

Mr. MORSE. Mr. President, I shall be very brief in my explanation. As I said earlier this afternoon, there is no doubt that a majority of the Committee on Foreign Relations is in unanimous agreement that it is the intention of the committee that any proposal to extend the territory covered by the treaty would have to come back to the Senate.

In view of the particular situation existing in Formosa, and what I think are our great obligations as caretaker, I think we should not include a provision in the treaty as surplusage; I think the treaty ought to say exactly what we mean. I believe there is danger that the present wording will give some false impressions to Asiatic countries as to what we mean. Therefore, I think the language I have indicated should be stricken.

Mr. GEORGE. Mr. President, I believe in full hearings. This identical amendment was offered in committee. It was rejected by a vote of 11 to 2.

In the report is the specific statement, based upon the specific testimony of the Secretary of State, that if any agreement extended the provisions of the treaty to areas other than Formosa and the Pescadores, such agreement would have to come back to the Senate and be passed upon again by the Senate.

Have we no confidence in anybody? The Committee on Foreign Relations gave this question earnest consideration, and I think there was no reasonable

doubt about it; otherwise more than two members of the committee would not have voted in favor of the resolution of ratification.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. KNOWLAND. Is it not a fact that since this is a bilateral treaty, if we were to strike the language from the treaty itself, that would necessarily mean a renegotiation with the Republic of China, and a delay at a time when the administration and the committee feel a delay would be undesirable?

Mr. GEORGE. Beyond all doubt.

No Secretary of State, Mr. President, so long as I am chairman of the Committee on Foreign Relations, will make a positive statement in the record that any extension of this territory would be a change or an amendment to the treaty which would come back to the Senate, without having that course followed.

This is in our report. It is specifically in the report, and is specifically in the testimony of the Secretary of State.

It would be true if no one had said it, because there can be no enlargement of a treaty unless the proposed enlargement is submitted to the Senate and agreed to by the Senate.

Why should the Senate make itself ridiculous? Why should it attach this sort of amendment to the treaty? To do so would be beyond my comprehension.

SEVERAL SENATORS. Vote! Vote!

Mr. MORSE. Mr. President, my reply will be very brief. I make two points. First, there is nothing in the record with respect to this treaty which would lead anyone to believe that Chiang Kai-shek had any such understanding when he negotiated the treaty. I think it ought to be made very clear to Chiang, in the language of the treaty.

Second, I respectfully differ with the distinguished Senator from Georgia in regard to whether or not such power could be authorized in the treaty without its coming back to the Senate.

This treaty must be read also in the light of the action taken recently by the Senate on House Joint Resolution 159. The Senate authorized very broad power in that resolution, which should cover possible defense in futuro.

There is nothing ridiculous about striking from a treaty language which might very well be interpreted by a future President or a future Secretary of State as authorizing an agreement to cover other territories, and then to rely upon the language of the treaty alone.

Not a word written in the committee report will become a part of the treaty. It will not be recognized as a part of the treaty by any world court.

The PRESIDING OFFICER (Mr. McNAMARA in the chair). The question is on agreeing to the amendment offered by the senior Senator from Oregon [Mr. MORSE]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Texas

[Mr. JOHNSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from West Virginia [Mr. KILGORE], the Senator from Oregon [Mr. NEUBERGER], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I announce further that, if present and voting, the Senator from Mississippi [Mr. EASTLAND], the Senator from Texas [Mr. JOHNSON], and the Senator from West Virginia [Mr. KILGORE] would each vote "nay."

I announce also that if present and voting, the Senator from Oregon [Mr. NEUBERGER] would vote "yea."

Mr. KNOWLAND. I announce that the Senators from New Hampshire [Mr. BRIDGES and Mr. COTTON], the Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from Illinois [Mr. DIRKSEN], the Senator from Arizona [Mr. GOLDWATER], the Senator from Nebraska [Mr. HRUSKA], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Kansas [Mr. SCHOEPPPEL], the Senator from Idaho [Mr. WELKER], the Senator from Utah [Mr. WATKINS], are absent on official business, and if present and voting, each would vote "nay."

I also announce that the Senator from California [Mr. KUCHEL] is necessarily absent and, if present and voting, would vote "nay."

I also announce that the Senator from Connecticut [Mr. PURTELL] is necessarily absent because of illness and, if present and voting, would vote "nay."

The Senator from South Dakota [Mr. CASE], the Senator from Indiana [Mr. JENNER], the Senator from North Dakota [Mr. YOUNG], and the Senator from Nevada [Mr. MALONE] are also absent on official business.

The result was announced—yeas 10, nays 60, as follows:

## YEAS—10

Byrd	Langer	Murray
Chavez	Lehman	Stennis
Hennings	Long	
Kefauver	Morse	

## NAYS—60

Aiken	Ervin	McNamara
Allott	Flanders	Millikin
Anderson	Frear	Monroney
Barkley	George	Mundt
Barrett	Gore	Neely
Beall	Green	Pastore
Bender	Hayden	Payne
Bennett	Hickenlooper	Potter
Bible	Hill	Robertson
Bricker	Holland	Russell
Butler	Humphrey	Scott
Carlson	Ives	Smathers
Case, N. J.	Jackson	Smith, Maine
Clements	Johnston, S. C.	Smith, N. J.
Curtis	Kerr	Sparkman
Daniel	Knowland	Symington
Douglas	Magnuson	Thurmond
Duff	Mansfield	Thye
Dworshak	Martin, Iowa	Wiley
Ellender	McClellan	Williams

## NOT VOTING—26

Bridges	Hruska	Neuberger
Bush	Jenner	O'Mahoney
Capehart	Johnson, Tex.	Purcell
Case, S. Dak.	Kennedy	Saltonstall
Cotton	Kilgore	Schoeppel
Dirksen	Kuchel	Watkins
Eastland	Malone	Welker
Fulbright	Martin, Pa.	Young
Goldwater	McCarthy	

So Mr. MORSE's amendment was rejected.

The PRESIDING OFFICER. The treaty is still open to amendment.

If there be no further amendment to be offered, without objection, the pending treaty will be considered as having been passed through its various parliamentary stages up to the point of the consideration of the resolution of ratification, which the clerk will read.

The Chief Clerk read as follows:

*Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive A, 84th Congress, 1st session, the Mutual Defense Treaty between the United States of America and the Republic of China, signed at Washington on December 2, 1954.*

Mr. MORSE. Mr. President, I wish to advise the leadership that I shall not call for a yea-and-nay vote on the two reservations I have to offer because there have been yea-and-nay votes on the substance of the reservations as they were offered as amendments. However, I wish to complete the record. There is pending at the desk the reservation to the resolution of ratification which covers the matter of sovereignty, in which I seek to make crystal clear that the treaty in no way changes the status of sovereignty over Formosa, which, of course, is the same purpose as that which I had in mind in offering my amendment to the body of the treaty.

Mr. President, I call up my reservation on the question of sovereignty, and ask that the clerk read it.

The PRESIDING OFFICER. The clerk will read as requested.

The Chief Clerk read as follows:

Reservation proposed by Mr. MORSE (for himself, Mr. LEHMAN, Mr. LANGER, and Mr. CHAVEZ) to the resolution of ratification of the Mutual Defense Treaty with the Republic of China, signed at Washington on December 2, 1954: "The Senate advises and consents to the ratification of this treaty with the understanding that nothing in the treaty shall be construed as affecting or modifying the legal status or sovereignty of the territories to which it applies."

The PRESIDING OFFICER. The question is on agreeing to the reservation submitted by the Senator from Oregon [Mr. MORSE] for himself and other Senators. [Putting the question.]

The reservation was rejected.

Mr. MORSE. Mr. President, I now call up my second reservation, which proposes to make it perfectly clear that the last sentence of article VI of the treaty shall have no force or effect, and I ask that the clerk read it.

The PRESIDING OFFICER. The clerk will read as requested.

The legislative clerk read as follows:

Reservation proposed by Mr. MORSE (for himself, Mr. LEHMAN, Mr. LANGER, and Mr. CHAVEZ) to the resolution of ratification of the Mutual Defense Treaty with the Republic of China, signed at Washington on December 2, 1954:

"The Senate advises and consents to the ratification of this treaty with the understanding that the last sentence of article VI of the treaty shall have no force or effect."

The PRESIDING OFFICER. The question is on agreeing to the reserva-

tion submitted by the Senator from Oregon for himself and other Senators. [Putting the question.]

The reservation was rejected.

The PRESIDING OFFICER. The question now is, Will the Senate advise and consent to the resolution of ratification?

Mr. KNOWLAND. Mr. President, on that question I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senators from West Virginia [Mr. KILGORE and Mr. NEELY], and the Senator from Oregon [Mr. NEUBERGER] are absent on official business.

The Senator from Texas [Mr. JOHNSON] and the Senator from Massachusetts [Mr. KENNEDY] are absent by leave of the Senate because of illness.

I further announce that on this vote the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Texas [Mr. JOHNSON], the Senator from West Virginia [Mr. KILGORE], and the Senator from Oregon [Mr. NEUBERGER] if present would vote "yea."

Mr. KNOWLAND. I announce that the Senators from New Hampshire [Mr. BRIDGES and Mr. COTTON], the Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from Illinois [Mr. DIRKSEN], the Senator from Arizona [Mr. GOLDWATER], the Senator from Nebraska [Mr. HRUSKA], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Kansas [Mr. SCHOEPPPEL], the Senator from Utah [Mr. WATKINS], and the Senator from Idaho [Mr. WELKER] are absent on official business; and, if present and voting, each would vote "yea."

I also announce that the Senator from California [Mr. KUCHEL] is necessarily absent; and, if present and voting, he would vote "yea."

I also announce that the Senator from Connecticut [Mr. PURTELL] is necessarily absent because of illness; and, if present and voting, he would vote "yea."

The Senator from South Dakota [Mr. CASE], the Senator from Indiana [Mr. JENNER], the Senator from North Dakota [Mr. YOUNG], and the Senator from Nevada [Mr. MALONE] are also absent on official business.

The yeas and nays resulted—yeas 65, nays 6, as follows:

## YEAS—65

Aiken	Curtis	Holland
Allott	Daniel	Humphrey
Anderson	Douglas	Ives
Barkley	Duff	Jackson
Barrett	Dworshak	Johnston, S. O.
Beall	Ellender	Kerr
Bender	Ervin	Knowland
Bennett	Flanders	Long
Bible	Frear	Magnuson
Bricker	George	Mansfield
Butler	Green	Martin, Iowa
Byrd	Hayden	McClellan
Carlson	Hennings	McNamara
Case, N. J.	Hickenlooper	Millikin
Clements	Hill	Monroney



Mundt	Robertson	Stennis
Murray	Russell	Symington
Neely	Scott	Thurmond
O'Mahoney	Smathers	Thye
Pastore	Smith, Maine	Wiley
Payne	Smith, N. J.	Williams
Potter	Sparkman	

## NAYS—6

Chavez	Kefauver	Lehman
Gore	Langer	Morse

## NOT VOTING—25

Bridges	Hruska	Neuberger
Bush	Jenner	Purtell
Capehart	Johnson, Tex.	Saltonstall
Case, S. Dak.	Kennedy	Schoeppel
Cotton	Kilgore	Watkins
Dirksen	Kuchel	Welker
Eastland	Malone	Young
Fulbright	Martin, Pa.	
Goldwater	McCarthy	

The PRESIDING OFFICER. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

Mr. GEORGE. Mr. President, I move that the President be immediately notified of the vote just taken on the treaty.

The PRESIDING OFFICER. Without objection, it is so ordered.

## LEGISLATIVE SESSION

Mr. CLEMENTS. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

### AUTHORIZATION FOR COMMITTEE ON RULES AND ADMINISTRATION TO FILE REPORTS DURING ADJOURNMENT OF THE SENATE

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Committee on Rules and Administration may file reports on resolutions while the Senate is in adjournment.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADJOURNMENT TO FRIDAY

Mr. CLEMENTS. Mr. President, I move that the Senate stand adjourned until noon, on Friday next.

The motion was agreed to; and (at 7 o'clock and 19 minutes p. m.) the Senate adjourned until Friday, February 11, 1955, at 12 o'clock meridian.

## CONFIRMATIONS

Executive nominations confirmed by the Senate February 9, 1955.

## PUBLIC HEALTH SERVICE

The following candidates for appointment in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations, effective date of acceptance:

## To be senior assistant surgeon

Jacob A. Haller, Jr.

## To be assistant surgeons

Jack Durell

John R. Moran

Donn E. Leuzinger

## To be senior assistant dental surgeon

James J. Kennedy

## To be assistant dental surgeons

L. Charles Larsen

Charles H. Davis

George E. Garrington

## EXTENSIONS OF REMARKS

## American Foreign Policy

## EXTENSION OF REMARKS

OF

## HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Wednesday, February 9, 1955

Mr. WILEY. Mr. President, last week it was my privilege to address an all-university convocation of students at the University of Cincinnati on the subject of American foreign policy.

I send to the desk now the text of my speech, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

## AMERICAN FOREIGN POLICY AND THE PROBLEM OF COMMUNISM

(Address by Senator ALEXANDER WILEY, Senate Committee on Foreign Relations, at all-university convocation of students, University of Cincinnati, February 4, 1955)

I am delighted to have the opportunity to address this distinguished and learned audience. I always regard it an honor to address an academic group of this kind. It is a special honor to appear before such an audience in this great State which has given our Nation one of its foremost families: I speak of the Tafts of Ohio.

## THE RESOLUTION ON FORMOSA

I speak to you at a critical juncture in the affairs of this Nation. Last week the United States Congress with only 6 dissenting votes authorized the President of the United States to use our Armed Forces to protect the islands of Formosa and the Pescadores from possible attack by Communist China. The facts are relatively simple, but the possible consequences are great.

Every competent military man I have talked with in recent years including General MacArthur, General Marshall, General Bradley, General Wedemeyer, Admiral Radford, Admiral Carney, and General Ridgway, to name but a few, agree that if For-

mosa were to fall into unfriendly hands it would seriously jeopardize the security interests of this Nation. Our great base at Okinawa would be flanked. Attack on the Philippine Republic would be threatened. Japan would be exposed to Communist military threat. And the whole of southeast Asia might eventually be in danger of falling like a ripe plum into the maw of communism.

It was the purpose of President Eisenhower, supported by a nearly unanimous Congress, to draw a line, to make it clear to Communist China that this Nation felt that its self-preservation would be endangered by further Communist expansion in the western Pacific.

Wars have resulted in the past from misjudgments as to when a Nation believes its vital interests are endangered. The resolution passed last week will make it crystal clear to Communist China that we believe our vital interests would be endangered if Formosa and the Pescadores are threatened by military force.

In order to understand the need for this action, I propose to review with you tonight the threat to freedom which is posed by communism and then to examine what we are doing about it internally and externally. I then will consider some of the attitudes which we as Americans must cultivate and develop so that we may be true to the heritage of freedom to which we are heir.

## POSSIBILITY OF A CEASE-FIRE

First, however, let me refer briefly to the possibility of a cease-fire in the Formosa area. The resolution which the Congress passed contains a very significant provision. It provides that the authority granted the President is to expire when the peace and security of the area are assured by, and I quote, "international conditions created by action of the United Nations or otherwise."

Last Monday the Security Council of the United Nations met to begin discussion of some method to bring hostilities in the Formosa area to an end. It will be necessary, if these negotiations are to be successful, for Communist China to participate. Indeed, the charter requires that parties to disputes considered by the United Nations are not to be excluded.

During the past few days, a good many people have indicated their fear that if

Communist China participates in negotiations for a cease-fire, this will be the first step toward admitting Communist China to the United Nations. I cannot share these fears. Our negotiations through the United Nations are designed to stop the fighting, because as long as shooting is going on in this area there is a very real danger that hostilities may spread. I am confident that our negotiators at the United Nations, led by former Senator Henry Cabot Lodge, under the guidance of President Eisenhower, will not be parties to any cease-fire arrangement which would involve a surrender of the basic principles for which we stand. I am not nearly as fearful of what might happen as the result of negotiations in the United Nations to bring about a cease-fire, as I am fearful of possible consequences of failure to stop the shooting. It seems essential to me that if the American people, through their representatives in Congress, have been willing to give President Eisenhower broad authority to use our Armed Forces to protect Formosa, we must also be willing to rely on his good sense and ability to negotiate a cease-fire without imperiling our vital interests.

## EXPANSION OF COMMUNISM

For many of us communism is nothing new. We have been living with it for a long time—since 1918, to be exact. We have watched it grow in four decades from a small band of Petrograd revolutionaries led by Lenin to a force enveloping some 800 million people and extending over 14½ million square miles of the earth's surface. Little did we realize in 1918 that communism would today be so extensive and so menacing a threat to our free civilization.

Soviet territorial aggrandizement, which began with the conquest of Russia herself, has continued with unrelenting drive. Much of Eastern Europe is under Soviet control. And in the Far East, communism has enveloped China, North Korea, and North Vietnam, while in other areas of Asia and the Western Pacific communism has mounted strong forces of infiltration and envelopment.

NATURE OF COMMUNISM, THE PROBLEM OF OUR

## TIME

Fundamentally, communism is hostile to everything we stand for. It is hostile to democracy; to our economic system; and to